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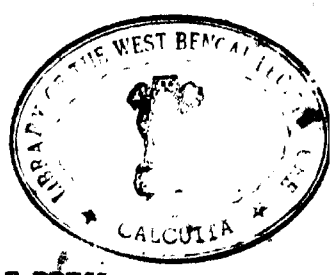

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Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on **Tuesday**, the 4th January, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President*.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. J. G. CUMMING.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. F. ST. GEORGE MANNERS-SMITH, C.I.E.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble MR. T. W. RICHARDSON.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble BABU BHUPENDRA NATH BASU.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble LIEUT.-COL. G. GRANT GORDON.

The Hon'ble MR. J. G. APCAR.

The Hon'ble BABU DEBA PRASAD SARBÁDHIKÁRI.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble RAI KISHORI LAL GOSWAMI BAHADUR.

The Hon'ble KHAN BAHADUR MAULVI SAHFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHORE PRASAD.

that His Excellency the Viceroy has declared that the Regulations must not be regarded as final or incapable of amendment, and I do not doubt that before the next general elections fall due, steps will have been taken to introduce whatever improvements present experience may show to be required.

"I now turn to the second of the two points of criticism which alone it is my intention to refer to. In certain quarters it has been alleged that, while we made a parade of creating a majority of non-officials in the Provincial Councils, yet in practice that majority has been so constituted that some part of its members will be likely to side with Government in controversial matters; and therefore, it is declared, the non-official majority is a sham and a make-believe.

"Gentlemen, if this contention had not been put forward again and again, it would have been unnecessary to treat it seriously. As one Calcutta paper said of it, the argument is only intelligible on the assumption that the author regarded the terms 'non-official' and '*anti*-Government' as synonymous. I consider this a most apposite remark and a most destructive commentary. If any appreciable section of the community really entertained such a view, I should regard it as a matter of very serious concern, for it would indicate that that section of the people of this Province are as yet utterly unfit to take any part in the administration of the country. A moment's consideration would surely have shown that if, on every contested question, the entire non-official majority were to vote solid against the Government, the administration of the country would be rendered impossible. Does any person of ordinary intelligence imagine that any responsible Government ever contemplated such a result or that they would permit it to continue for a day? I can only suppose that this singular hallucination had its origin in the system on which we have now turned our backs, and which encouraged the idea that it was the function of non-officials to oppose, because, inasmuch as they were in a powerless minority, it mattered little whether they opposed or not. I need scarcely remind you, gentlemen, that those days are now past. Henceforward it will be for us, not to override, but to convince. It is a necessary corollary that those who form the majority shall in all cases hold themselves open to conviction. And we expect and believe that in the great majority of cases, honest and independent opinion will incline to the side of Government. It is only in such conditions that the business of administration can be carried on.

"I will not enlarge further on this subject. We are about to enter upon a great experiment. It will lie in your hands and those of your successors in Council to make it either a bitter and disappointing failure, or, as I trust, a brilliant and triumphant success, which in its turn will prove the stepping-stone towards a further advance in the direction of associating the people with the Government in some form of constitution appropriate to an oriental country.

"We will now proceed, gentlemen, to the business of the day. The programme is a short one, but it includes some items of interest and importance. Our first business will be to appoint a Select Committee on the Calcutta Police Bill, which is a *remanet* from the old Council. Then, three small Bills will be introduced and read by the Hon'ble Members in charge of them. The official Members of the Council will then retire, and the non-official Members will then proceed to elect two Members to the Legislative Council of His Excellency the Governor General; and six Members from among their own body to serve on the Finance Committee of this Council."

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1909.

The Hon'ble MR. DUKE moved that the Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, be re-committed to a Select Committee, consisting of the Hon'ble Sir Bijay Mahtab, Maharajadhiraja Bahadur of Burdwan, the Hon'ble Mr. Cumming, the Hon'ble

Mr. Richardson, the Hon'ble Mr. Halliday, the Hon'ble Mr. Morshead, the Hon'ble Babu Bhupendra Nath Basu, the Hon'ble Mr. Apcar, the Hon'ble Babu Deba Prasad Sarbádhikári, the Hon'ble Mr. Bradshaw and the Mover, with instructions to report within one month.

He said:—"Sir, the Motion which stands in my name needs a very few words of explanation. The Bill further to amend the Calcutta Police Act of 1866 and the Calcutta Suburban Police Act of 1866 was introduced during the last session of the Council, and was carried through the stage of Select Committee and Report, but when it came before the Council in its final form very strong representations were made that further time should be given for consideration and for consultation of public bodies connected with Calcutta who might be supposed to be interested in the Bill. These bodies, or most of them, had been consulted at the initial stage, but only a very short time was allowed for consultation, and it was urged that further time and opportunity should be given. Government accepted the force of this contention, and accordingly the consideration of the Bill was postponed. In the meantime, the former Council having passed out of office, the Select Committee, which had then been charged with the consideration of the Bill, ceased to exist, and it has become necessary to appoint a new Select Committee. I am, therefore, to move that the Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, be re-committed to a Select Committee consisting of the Hon'ble Sir Bijay Mahtab, Maharajadhiraja Bahadur of Burdwan, the Hon'ble Mr. Cumming, the Hon'ble Mr. Richardson, the Hon'ble Mr. Halliday, the Hon'ble Mr. Morshead, the Hon'ble Babu Bhupendra Nath Basu, the Hon'ble Mr. Apcar, the Hon'ble Babu Deba Prasad Sarbádhikári, the Hon'ble Mr. Bradshaw and myself, with instructions to report within one month."

The Motion was put and agreed to.

THE BENGAL CESS (AMENDMENT) BILL, 1909.

The Hon'ble MR. SLACKE moved for leave to introduce a Bill to amend the Cess Act, 1880.

He said:—"I beg, Sir, to ask for leave to introduce a Bill to amend the Cess Act of 1880. The main object of this Bill is to enable re-valuation for cess purposes to be carried out simultaneously with settlement work and thereby lessen the cost which is now entailed upon District Boards."

The Motion was put and agreed to.

The Hon'ble MR. SLACKE introduced the Bill, and moved that it be read in Council.

The Motion was put and agreed to, and the Secretary accordingly read the title of the Bill.

THE CALCUTTA PORT (AMENDMENT) BILL, 1909.

The Hon'ble MR. SLACKE moved for leave to introduce a Bill further to amend the Calcutta Port Act, 1890.

He said:—"I beg to ask leave, Sir, to introduce a Bill further to amend the Calcutta Port Act of 1890. The object of the Bill is to enable the Commissioners for the Port of Calcutta to pay pensions, gratuities or compassionate allowances to any of their officers or servants who may be injured, or to surviving relatives of any of their officers or servants who may be killed, in the execution of their duty."

The Motion was put and agreed to.

The Hon'ble MR. SLACKE introduced the Bill, and moved that it be read in Council.

The Motion was put and agreed to, and the Secretary accordingly read the title of the Bill.

THE BENGAL MUNICIPAL (AMENDMENT AND VALIDATION) BILL, 1909.

The Hon'ble MR. WHEELER moved for leave to introduce a Bill to declare the meaning of certain words in clause (*b*) of section 66 of the Bengal Municipal Act, 1884.

He said:—

"The Bill which I have now to introduce is to amend section 66 (*b*) of the Bengal Municipal Act, 1884, and to validate certain actions which purported to have been taken under that Act.

"Section 65 of the Municipal Act gives power to the Local Government to supersede for a specified period the Commissioners of any Municipality who may be declared incompetent to perform, or to have persistently made default in the performance of, the statutory duties imposed upon them. Fortunately it has not often been found necessary for the Local Government to have recourse to these powers, but in two instances they have been applied—in the cases of the Santipur and Nadia Municipalities respectively. Under orders of 1903 the former body was superseded for one year, and a like course was taken in 1904 in the case of the Nadia Municipality.

"It is obviously necessary, however, that in such a case arrangements should be made for carrying on the administration of the town which had been entrusted to the superseded body, and under section 66 (*b*) of the Act all the powers and duties of the Municipal Commissioners shall, during the period of supersession, be exercised and performed by such person or persons as the Local Government may direct. In accordance with this provision the Sub-divisional Officer of Ranaghat, in the case of Santipur, and a Deputy Magistrate, in the case of Nadia, were appointed to carry on the work of the superseded municipalities.

"It will be observed that section 66 (*b*) speaks of entrusting to the officer selected the powers and duties of the Commissioners. But under the Municipal Act of 1884, while some duties are exercisable by the Commissioners, other powers are conferred upon the Commissioners at a meeting, and it is this fact which has given rise to the present difficulty.

"In both cases, while the Municipality was under supersession, it was represented by the Special Officer in charge, acting under section 9 (*e*) of the Act, that the number of Commissioners was undesirably large, and their number was reduced from 25 to 9 in the case of Santipur, and from 12 to 9 in that of Nadia, the two bodies being reconstituted with this smaller strength in 1904 and 1905 respectively.

"Now the power to recommend an alteration in the number of Municipal Commissioners under section 9 (*e*) is vested in the Commissioners at a meeting. In the case of Nadia no difficulties have arisen from this fact, but in that of Santipur a rate-payer proceeded to sue the newly-constituted Municipality in respect of the levy from him of the rates imposed by it. The litigation was carried to the High Court, which, in a judgment dated the 15th February, 1909, has held that the Municipality of Santipur was not properly constituted at the time the new rates were imposed, since the reduction of its number to nine was made upon the recommendation of the Special Officer who was not competent to assume the powers vested by law in the Commissioners at a meeting. The Hon'ble High Court was of opinion that it was the intention of the Act to make a clear distinction between the powers of the Commissioners and the powers of the Commissioners exercisable at a meeting, and it was the former only which devolved upon the Special Officer.

"The decision has obviously created a practical difficulty in the case of Santipur, and a possible difficulty in that of Nadia. While it is true that the wording of the Municipal Act does make the distinction referred to by the High Court, it is open to considerable question whether that distinction was

[*Mr. Wheeler.*]

intended to govern the powers of a Special Officer appointed under section 66 (*b*). The object of the appointment of a Special Officer in the place of a superseded municipality is to provide for the municipal administration during the period of supersession. But that administration could not be carried on if the Special Officer was restricted to the exercise of the powers conferred upon the Commissioners as distinct from the Commissioners at a meeting.

"I have here a list of the powers exercisable by the latter, which covers some 82 different points. Some of the contingencies thus provided for doubtless seldom arise; others are vital to any form of municipal administration. To take only two instances, it is the Commissioners at a meeting who prepare the budget estimates under section 72, and sanction expenditure in accordance with the estimates under section 78. Neither has the distinction between the powers exercised by the Commissioners and by the Commissioners at a meeting been drawn in all instances upon any very intelligible principle. Thus under section 148 the Local Government may make over a ferry to the municipality with the consent of the Commissioners; under section 157 it can only make over a toll-bar with the consent of the Commissioners at a meeting.

"That it was not intended to import this distinction into the powers exercisable by the Special Officer under section 66 (*b*) is shown further by the history of that section. The corresponding section 318 of Bengal Act V of 1876[1] enabled the District Magistrate, in the event of neglect on the part of a municipality, to exercise all the powers and rights conferred on the Commissioners and on the Commissioners at a meeting. In drafting the Act of 1884, the Select Committee, in respect of these particular sections, seems to have followed the wording of the Local Self-Government Bill, which does not distinguish between powers exercisable generally and those exercisable at meetings. There was no debate in Council upon this particular point, and it would appear that it was by inadvertence only that the new Act, as passed, restricted the powers of the Special Officer to those exercised by the Commissioners only.

"It is proposed, therefore, to restore the law practically to that in force prior to 1884, and to enact that the expression "all the powers and duties of the Commissioners" in section 66 (*b*) shall include, and shall always be deemed to have included, the powers and duties of the Commissioners, whether exercisable at a meeting or otherwise. The object of the retrospective effect to be given to the change is to validate the actions of the Santipur and Nadia Municipalities since their reconstitution.

"One other small point remains. In the course of the examination of the papers it has been discovered that the notification reducing the number of Commissioners of the Santipur Municipality from 25 to 9 did not strictly comply with the law. Under section 9 a notification of the intention to alter the number of Commissioners is required, followed by a notification, after an interval, under section 9A, of the actual change. In the case of Santipur this preliminary notification was by oversight omitted, and it is proposed also to remedy this defect."

The Motion was put and agreed to.

The Hon'ble Mr. Wheeler introduced the Bill, and moved that it be read in Council.

The Motion was put and agreed to, and the Secretary accordingly read the title of the Bill.

The Council was then adjourned to Friday, the 28th January, 1910, at 11 A.M.

Calcutta; F. G. WIGLEY,

The 12th January, 1910. *Secretary to the Bengal Legislative Council.*

[1] The Bengal Municipal Act, 1876.

Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Friday, the 28th January, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President*.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. J. G. CUMMING.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble MR. T. W. RICHARDSON.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIVANANDAN PRASAD SINGH.

The Hon'ble RAI SITA NATH RAY BAHADUR.

The Hon'ble LIEUT.-COL. G. GRANT GORDON.

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI.

The Hon'ble MAHARAJ KUMAR GOPAL SARAN NARAYAN SINGH

The Hon'ble KUMAR KIRTANAND SINHA.

The Hon'ble MR. RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBÁDHIKÁRI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. NORMAN MCLEOD.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GOLAM HOSSEIN CASSIM ARIFF.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMED FAKRUDDIN.

The Hon'ble BABU RESHEE CASE LAW.

The Hon'ble MR. KSHIROD BIHARI DUTT.

The Hon'ble MAULVI SAIYID ZAHIRUDDIN.

The Hon'ble RAI SIVA SANKAR SAHAI BAHADUR.

The Hon'ble MR. M. S. DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble RAI KISHORI LAL GOSWAMI BAHADUR.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHORE PRASAD.

The Hon'ble MR. DEEP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAY.

OATH OR AFFIRMATION OF ALLEGIANCE.

The PRESIDENT said:—

"The first item on the list of business is the swearing in of certain Hon'ble Members who were not present at the last meeting of the Council."

The Hon'ble Mr. A. S. Thomson, the Hon'ble Sir Frederick Dumayne and the Hon'ble Rai Sita Nath Ray Bahadur then made an oath or affirmation of allegiance to the Crown.

QUESTIONS AND ANSWERS.

The PRESIDENT said:—

"Gentlemen,—the next item of business is the asking of certain questions of which notice has been given by certain Hon'ble Members. In this connection I wish to explain that it is our intention to make a slight change in the practice that has hitherto prevailed in connection with the asking of questions. In the former Council, it had been the practice for the Hon'ble Member who put a question to read out the question at full length. It has been represented to me that this practice occupies the time of the Council unnecessarily, and for the future it has been decided that it shall not be followed. When, therefore, I call upon any Member to put the question which stands in his name, he will rise in his place and simply say, 'I put question No. *so and so* which stands in my name'. Then the answer will be delivered in the usual manner."

[*Babu Baikuntha Nath Sen; Mr. Duke; Babu Braja Kishore Prasad; Mr. Wheeler.*]

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

The Hon'ble BABU BAIKUNTHA NATH SEN asked:—

Will the Government be pleased to enlighten the public as to the time within which a complete separation of Judicial and Executive functions in connection with the administration of criminal justice is to be effected, and as to the districts in which the system is intended to be first introduced?

The Hon'ble MR. DUKE replied:—

"The matter is still under consideration, and no statement can be made at present."

DISTRICT AND LOCAL BOARDS OF THE TIRHUT DIVISION.

The Hon'ble BABU BRAJA KISHORE PRASAD asked:—

(*a*) Will the Government be pleased to state the respective incomes of the different District and Local Boards of the Tirhut Division?

(*b*) Will the Government be pleased to state, separately in the case of each District and Local Board, what portions of the said incomes are contributed by the Planting Community and what portions by the Indian Community, respectively?

(*c*) Will the Government be pleased to state, separately in the case of each District and Local Board, the respective numbers of the members of the Planting and of the Indian Community on these Boards?

The Hon'ble MR. WHEELER replied:—

(*a*) "The incomes of the several District Boards in the Tirhut Division for the year 1908-09, excluding the opening balance to the credit of each, were as follows:—

	Rs.
Saran	3,13,443
Champaran	1,86,601
Muzaffarpur	4,17,751
Darbhanga	5,92,766

"The similar figures for the Local Boards in the Division are as follows:—

	Rs.
Sewan	9,395
Gopalganj	5,760
Sitamarhi	5,041
Hajipur	3,385
Madhubani	6,000
Samastipur	6,000

"With the exception of the Local Boards in the Muzaffarpur district, which enjoy some independent income under the Cattle Trespass Act in addition to the allotments made to them by the District Board, the funds at the disposal of Local Boards are entirely derived from the latter source.

(*b*) "It is impossible to state from the accounts as kept what portions of the above incomes are contributed by the Planting Community and by the Indian Community, respectively.

(*c*) "The numbers of the Planting and Indian Communities, respectively, on the above District and Local Boards, according to the latest information available, are as follows:—

	Number of members belonging to Planting Community.	Number of Indian members.
District Boards—		
Saran	5	14
Champaran	8	8
Muzaffarpur	7	7
Darbhanga	11	6
Local Boards—		
Sewan	3	4
Gopalganj	2	6
Hajipur	2	6
Sitamarhi	4	4
Madhubani	2	7
Samastipur	5	3"

THE CASE OF BABU GAYA PRASAD SINGH.

The Hon'ble BABU BRAJA KISHORE PRASAD asked:—

(*a*) Has the attention of the Government been drawn to the case of Babu Gaya Prasad Singh, lately a Sub-Deputy Magistrate of Samastipore, in the district of Darbhanga, and to the report thereof as published in the *Amrita Bazar Patrika* of the 7th January, 1910?

(*b*) Will the Government be pleased to state if the allegations contained in the petition of resignation submitted by the said Babu Gaya Prasad Singh to the Chief Secretary to the Government of Bengal, setting forth the circumstances under which he was compelled to resign his post, are correct? If so, considering the seriousness of those allegations, does the Government intend to make an inquiry into the matter and to take any action thereon?

The Hon'ble MR. DUKE replied:—

(*a*) "Yes."

(*b*) "The letter in which the Sub-Deputy Collector submitted his resignation was insubordinate, and his conduct indicated an absence of the due sense of discipline. The Lieutenant-Governor sees no reason to make any inquiry into the matter."

THE CALCUTTA PORT (AMENDMENT) BILL, 1909.

The Hon'ble MR. SLACKE moved that the Bill further to amend the Calcutta Port Act, 1890, be taken into consideration by the Council at the next meeting.

He said:—"I think it would not be inopportune at this stage to inform the Hon'ble Members why this Bill has not been referred to a Select Committee. There is nothing in the Bill that would point to the necessity of any such reference being made. The Bill has been approved by the Port Commissioners, and has met their wishes. The draft admits of no doubt, and the objects sought to be attained will be secured by clause 3 of the Bill, which introduces into the Calcutta Port Act a clause inserted in the Bombay Port Trust Act, 1879, by Bombay Act I of 1899, enabling the Port Commissioners to grant pensions, gratuities or allowances to those of their servants who have been injured in the execution of their duties, or to the heirs of those servants who have lost their lives. I would add that the staff of the Port Commissioners numbers over 8,000, exclusive of some 10,000 coolies whom they employ direct and some of whom are employed through Messrs. Bird & Co.

The Motion was put and agreed to.

Financial Statement.

[*Mr. Wheeler.*]

THE BENGAL MUNICIPAL (AMENDMENT AND VALIDATION) BILL, 1909.

The Hon'ble MR. WHEELER moved that the Bill to declare the meaning of certain words in clause (*b*) of section 66 of the Bengal Municipal Act, 1884, be referred to a Select Committee consisting of the Hon'ble Mr. Collin, the Hon'ble Mr. Richardson, the Hon'ble Kumar Shivanandan Prasad Singh, the Hon'ble Babu Baikuntha Nath Sen, the Hon'ble Khan Bahadur Maulvi Sarfaraz Husain Khan and the Mover.

The Motion was put and agreed to.

FINANCIAL STATEMENT.

The Hon'ble MR. WHEELER made the following statement as to the procedure to be adopted for the discussion of the Revised Financial Statement.

He said :—

"WITH your permission, Sir, I desire to draw the attention of Hon'ble Members to the procedure which will be adopted in considering the Budget estimates of the province for the year 1910-11. The new rules which will govern the discussion have all been published for general information, but it may be advantageous if their leading features are briefly emphasised.

"As is probably known to the Council, the previous practice was that the Provincial Budget estimates were framed by the Finance Department in consultation with the Accountant-General, and after the receipt of the orders of the Government of India thereon, and after the discussion of the Imperial Budget in the Governor General's Council, the Provincial figures were laid before the local Council, usually at the end of March, and dealt with by it in one day in a general discussion ranging over the whole field of administration. Since 1907, opportunity had been taken of informally consulting some of the non-official Members as regards the entries which found a place in the Budget, but this was not recognised by rule, and the Council, as a whole, did not have an opportunity of offering an opinion upon the estimates until the final discussion of the Budget.

"The reasons for holding this procedure to be defective have formed the subject of much discussion in the published correspondence relative to what is known as the scheme of Council Reform, and it is needless to recapitulate them. It is merely desired to describe the course to be adopted in future, in order that the changes may be fully appreciated. The estimates for 1910-11 have been framed in the first place, as before, by the Finance Department with the advice of the Accountant-General. This has had to be done at an earlier date than previously, and to that extent we have been handicapped by the less complete information regarding the actual progress of receipts and expenditure during 1909-10, which was then available. In estimating the receipts no material change of system has been adopted; we have been guided by the past actual figures, so far as they were available, and by the probabilities of the ensuing year. But as regards expenditure, we have been influenced by new principles. We have first of all provided for the current normal expenditure of the administration, including in this what may be termed the normal instances of increase, such as additions to incremental salaries, the enhancement of such ordinary heads as contingency grants, and so on. New expenditure has been treated in two ways, according as the sums involved were small or large. In making this distinction we have held a scheme the total cost of which was not more than Rs. 5,000 in one year to be a small one, and these schemes have been provided for under the appropriate Budget heads, without special mention. It is obviously impossible for this Council to enter into such minor details as the provision for a few additional

clerks, etc. The larger projects have again been divided into two categories—those which were by their nature obligatory and those the undertaking of which was optional. Under the former head we have taken such expenditure as was necessary to complete a scheme already commenced, and in which it was impossible to call a halt. (Such a case would be that of an unfinished building.) Or, again, such as is being incurred in accordance with orders of the Secretary of State or the Government of India, or is required in order to meet some pressing administrative need. These obligatory schemes have been included in the Budget under their appropriate heads, but the special attention of the Council will hereafter be invited to them. Of the optional schemes, a separate list was first made, and at the earlier stages these were not included in the Budget.

"Deducting from the estimated opening Provincial balance and the revenue for the year, the total expenditure involved by what I have referred to as the normal cost of administration, *plus* new small projects and new obligatory projects, we arrived at a margin which was available for expenditure at that time unallotted, and the preliminary orders of the Government of India were then taken as to the total which could thus be considered available. The Government of India upon the first scrutiny of our estimates, both of receipts and expenditure, communicated to us a provisional figure for unallotted expenditure, with directions as to its distribution between recurring and non-recurring outlay. The importance of the difference between recurring and non-recurring charges as affecting the financial stability of the province is obvious.

"The distribution of this sum available for unallotted expenditure has recently been considered by the Finance Committee of Council to which members were elected at our previous meeting, and their report is about to be submitted to Government. The Local Government will now pass orders upon its recommendations, and will embody the figures in the estimates which will then be resubmitted to the Government of India.

"The Imperial Government, after considering all the latest information available, affecting the actual progress of income and expenditure during 1909-1910 and the prospects for the ensuing year, will embody the Provincial figures in the general Financial Statement for India, which will be discussed in the Governor General's Council in February. We shall learn hereafter the orders of the Government of India passed in the light of that debate and the latest figures available, and we shall then lay our estimates before the whole Council some time in the first half of March.

"The estimates at that stage will be known as the Revised Financial Statement, and they will be accompanied by a memorandum explaining the general financial position. What I wish to make clear is that the Statement will not be introduced and discussed as a whole. It will be introduced under various heads or groups of heads by the various Members in charge of each head or group. The discussion will be taken piece-meal on the particular heads for the moment before the Council. Resolutions relevant to those heads can be moved, provided written notice has been given of them, not less than four days before the date of the meeting, and they comply with the rules. These will then be debated and voted upon.

"Hon'ble Members have already been supplied with a list of these heads of discussion, and the names of the official Members who will introduce each group. The remarks which Hon'ble Members may wish to make should be guided by this grouping, and the official Members who will initiate the discussion under each head would be particularly obliged if, as has been customary in the past, they could be informed beforehand, so far as possible, of any points upon which further information or explanation is desired. It is not easy to reply off-hand to all points which may be raised, and the object of the discussion is to explain to the Council what has been included in the Budget and why.

"As soon as this debate is closed, the Local Government has to communicate to the Government of India its final recommendations regarding

[*Babu Baikuntha Nath Sen ; Rai Kishori Lal Goswami Bahadur ; the President.*]

the figures, in the light of the recommendations of the Council and all other information available, and the latter Government incorporates the final Provincial figures which it may decide to accept in the Imperial Budget. As soon as the India Budget is passed in the Governor General's Council, the Provincial estimates, which will then be known as the Budget, will be presented to this Council, and a general discussion will be held regarding them. The Budget will be presented as a whole, and Hon'ble Members will speak upon it as a whole. No resolutions will be moved and no vote will be taken. In fact, the discussion will be analogous to the Budget discussions of previous years, but it is hoped that the previous consideration of the Revised Financial Statement in Council, by clearing the ground and elucidating points regarding which doubt might otherwise have existed, will facilitate the final disposal of the Budget and confine further discussion within narrower limits than have, perhaps, always been adhered to in the past. In this instance, again, if there are particular points which Hon'ble Members desire to criticise, the officers in charge of the different Departments and myself would be glad of prior intimation in order that any information desired may be given.

"The important point which I wish to emphasise is that there will this year be two discussions of the estimates in Council—the first of the Revised Financial Statement, dealing with the estimates separately under different heads and groups of heads; the second of the Budget as a whole. In the course of the first, resolutions may be moved and votes taken, but this will not be permissible on the second occasion."

RESOLUTIONS.

The Hon'ble BABU BAIKUNTHA NATH SEN was to have moved the following Resolution:—

The Council recommend to the Lieutenant-Governor that the system of appointments to the Provincial Service by nomination be abolished, and that the competition test be restored.

The Hon'ble RAI KISHORI LAL GOSWAMI BAHADUR was to have moved the following amendment to the foregoing Resolution:—

The Council recommend to the Lieutenant-Governor that the existing system of recruitment of the members of the Provincial Executive Service and the Subordinate Civil Service be given a further trial for a period of five years, with the modification that, under ordinary circumstances, the degree of Bachelor of Law should be regarded as an essential qualification of the candidates.

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"I have been informed by my colleague, the Hon'ble Babu Bhupendra Nath Basu, that he has asked for some information regarding the appointment of members of the Executive Branch of the Provincial Service. The information has not yet been received. It is desirable that the Resolution which I intended to move be moved after such information is obtained. And, in the second place, I understand that there is some misconception amongst some of my colleagues as regards the object aimed at. So at present I do not wish to move the first Resolution which stands in my name."

The PRESIDENT said:—

"There is an amendment put down against this Resolution in the name of the Hon'ble Rai Kishori Lal Goswami Bahadur. If the Hon'ble Rai Bahadur is willing to postpone his amendment also, there will be no objection to accepting the proposal of the Hon'ble Babu Baikuntha Nath Sen.

[*Babu Baikuntha Nath Sen; Mr. Cumming.*]

The Hon'ble RAI KISHORI LAL GOSWAMI BAHADUR having assented, the President declared that the consideration of this Resolution and the Amendment would be adjourned to the next meeting of the Council.

The Hon'ble BABU BAIKUNTHA NATH SEN moved the following Resolution:—

The Council recommend to the Lieutenant-Governor that in future the appointment of Honorary Magistrates be for a fixed term of five years, and that the existing Honorary Magistrates of a standing of five years or more be made to retire.

He said:—

"Formerly, Honorary Magistrates were appointed without any time limit. They were made, as it were, life-members of the service. Recently, we find appointments and re-appointments are being made for a term of three years only. I am afraid the Government has gone rather to an extreme. The term, in my humble opinion, ought to be five years, to give them sufficient experience and training in the art of administration. Of course, the matter lies entirely in Your Honour's discretion, and it is only a suggestion which I make.

"The other part of the Resolution is that Honorary Magistrates of long standing, that is, a standing of five years or more, should be made to retire. Those who have got any mufassal experience know that some of the Honorary Magistrates have been serving as such for a term of 20, 25 or 30 years. The reasons which have induced the Government to fix the term now for a period of three years would apply *a fortiori* to the case of these Honorary Magistrates who are now, as it were, a permanent fixture on the administrative machinery. Local influences—I do not wish to quote an individual case, or anything that might have the appearance of an insinuation—but local influences do, to a certain extent, impair the impartiality or the independence of these Honorary Magistrates. The reasons which justify the Government in transferring officers, even of the Covenanted Service, after a certain term of service in a particular district, justify, I submit, the making of the suggestion that these Honorary Magistrates of long standing should be made to retire. Of course, the retirement should not be considered as a disability for re-appointment. They might be appointed again. With these observations, I move this Resolution for the acceptance of the Council, and Your Honour will be pleased to decide the matter as may be deemed proper, because after all this would be a mere recommendation.

The Hon'ble MR. CUMMING replied:—

"Sir, if the Hon'ble Member who has moved this Resolution had made it a point that there should be a reversion to the old system of life-tenure, then it would be arguable; but his present point is that it is a question between a term of three years and a term of five years which, after all, is one of actual convenience and propriety. I should like, if the Hon'ble Members would bear with me for a few minutes, to state very shortly the reason why the term of three years was made. The question came up to this Government as long as twenty years ago. It was then stated that Government considered that, as many Honorary Magistrates looked upon their appointment as simply one of dignity, some measures should be taken to make the appointment terminable. The matter came up again in 1893; and finally, when the Criminal Procedure Code was amended in 1898, this was brought before the Select Committee, and the law was then proposed to be amended. The former section 14 of Act X of 1882 read as follows:—'such Magistrates shall be called Special Magistrates'; and in Select Committee it was proposed that an addition should be made as follows:—'and shall be appointed for such terms as the Local Government may, by general or special order, direct'.

[*The President; Babu Baikuntha Nath Sen.*]

"This proposal of the Select Committee was not discussed at all in Council, and this Government understood that the matter had been accepted. Since then, when the Bill became law—Act V of 1898—it was a question as to what the actual term should be. This Government took advice from all quarters; various terms were suggested, ranging from two to ten years; and finally, after full consideration, the Government of Sir John Woodburn decided that the term should be three years, partly because that was considered a convenient time within which a new Honorary Magistrate might learn his duties and be able to show whether he was fit to retain the dignity or not, and partly on account of the analogy of the term of office under the Local Government institutions, in Municipalities and in District Boards. It was then thought that it would be very invidious that local officers in making recommendations should suggest any definite term, and so that proposal was vetoed. Government thereupon decided that the order should issue that in future all new appointments should be for three years; and therefore, late in 1898, an order of Government was passed to the effect that in future all such appointments should ordinarily be for a term of three years only, and at the end of three years Honorary Magistrates might be re-appointed on the recommendation of Commissioners. That, shortly, is the reason why the term of three years was selected as a convenient term.

"The other point which has been raised by the Hon'ble Member is that the existing Honorary Magistrates of a standing of five years or more should be made to retire. In this connection I may point out that this very matter was raised when the term of office was considered in 1898; that on the advice of the Advocate-General, the Government of Sir John Woodburn decided that it was not possible to make the Honorary Magistrates, who had previously been appointed, subject to the new Act; and that they therefore continued to retain their life-appointments. Then, again, as regards those who have been appointed since 1898, their term of office automatically expires after every three years, subject to re-appointment. Hence both in the case of the former Honorary Magistrates and of the later Honorary Magistrates. I am afraid that the proposal of the Hon'ble Member is not practicable. I should like to state that Government has been considerate and forbearing regarding these re-appointments; and it is not till every reasonable chance has been given to Honorary Magistrates who do not attend regularly or who show signs of incapacity that the Commissioner recommends they should not be re-appointed.

The PRESIDENT—"Does the Hon'ble Mover of the Resolution desire to say anything by way of reply?"

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"After the explanation given by the Hon'ble Member in charge, and the information furnished that it was after due deliberation that the term of three years was decided upon, I do not think I need say anything more, because it was a conventional period which was found by the Government to be sufficient for the purpose of efficient administration.

"As regards the retirement of the other officers, of course, if their work be watched properly, and if the old members be still found to be sufficiently capable of discharging their duties without in any way prejudicially affecting the efficient administration of criminal justice, I leave it to the Government to consider the question later."

THE PRESIDENT—"Do I understand that the Hon'ble Member does not wish to move the Resolution that stands in his name?"

The Hon'ble BABU BAIKUNTHA NATH SEN—"I did move the Resolution, though I do not wish to press it."

THE PRESIDENT—"The practical effect is that the Resolution is withdrawn, with the consent of the Council.

"This terminates the business for the day."

The Council was then adjourned to the 26th February, 1910, at 11 A. M.

CALCUTTA; F. G. WIGLEY,
The 4th February, 1910. *Secretary to the Bengal Legislative Council.*

Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Saturday, the 26th February, 1910, at 11 A.M.

Present:

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President, presiding.*

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. T. W. RICHARDSON.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble BABU BHUPENDRA NATH BASU.

The Hon'ble RAI SITA NATH RAY BAHADUR.

The Hon'ble LIEUT.-COL. G. GRANT GORDON.

The Hon'ble SIR BIJAY MAHTAB, K.C.I.E., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH.

The Hon'ble RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. NORMAN MCLEOD.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GHULAM HUSAIN KASIM ARIF.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble MAHARAJ-KUMAR HRISHIKESH LAHA.

The Hon'ble MR. K. B. DUTT.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble MR. M. S. DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble RAI KISHORI LAL GOSAIN BAHADUR.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

OATH AND AFFIRMATION OF ALLEGIANCE.

The Hon'ble Mr. W. R. GOURLAY and the Hon'ble Mr. SAIYID ALI IMAM respectively made the prescribed oath and affirmation of their allegiance to the Crown.

[*Babu Bhupendra Nath Basu; Mr. Butler; Khan Bahadur Maulvi Sarfaraz Husain Khan; Mr. Gourlay.*]

QUESTIONS AND ANSWERS.

FIRE ON THE KHULNA-BARISAL MAIL STEAMER "*AKA*."

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

(*a*) Has the attention of the Government been drawn to the reported serious loss of lives resulting from a fire having broken out in the Khulna-Barisal Mail steamer *Aka* ?

(*b*) Will the Government be pleased to inquire whether the fire originated on a pile of jute on board the steamer ?

(*c*) Is it true that the steamer ran aground before the fire broke out, and that there was no light or other indication to show the existence of *chur* and there ?

(*d*) Will the Government be pleased to make sifting inquiries as to what caused the fire, and the number of lives lost and the number of people injured ?

(*e*) Considering that jute is not allowed to be stored in dwelling-houses, or in godowns over which there are residential quarters, in Calcutta, will the Government be pleased to make rules prohibiting or restricting the conveyance of jute or other inflammable materials in mail or passenger steamers ?

The Hon'ble MR. BUTLER replied :—

(*a*) "The burning of the steamer *Aka* was at once reported to this Government.

(*b*), (*c*) *and* (*d*) "A Court of Inquiry under section 31 of the Inland Steam-vessels Act, 1884, has been appointed to investigate the circumstances attending the outbreak of the fire. The finding of the Court will be communicated to the Hon'ble Member.

(*e*) "The existing rules made under section 50 of the Inland Steam-vessels Act, 1884, for the protection of inland steamers from danger by fire, impose sufficient restrictions on steamers carrying jute or other inflammable materials, and it does not appear necessary to add to them."

THE PATNA COLLEGE.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked :—

Will the Government be pleased to state when the construction of the Laboratory buildings of the Patna College, for which administrative sanction has already been given, will be taken in hand ?

The HON'BLE MR. GOURLAY replied :—

"It has not been found possible to provide funds for the construction of the Laboratory buildings at Patna College during 1910-11. The work will be taken in hand as soon as funds are available, due consideration being given to the other projects in hand."

THE TEMPLE MEDICAL SCHOOL, BANKIPORE.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked :—

Will the Government be pleased to state how matters stand with regard to the construction of a fencing wall with ornamental railings in front of the Temple Medical School, Bankipore ?

[*Mr. Wheeler; Khan Bahadur Maulvi Sarfaraz Husain Khan; Maulvi Saiyid Muhammad Fakr-ud-din; Mr. Gourlay.*]

The Hon'ble MR. WHEELER replied:—

"Estimates have been prepared, but it has not so far been found possible to allot funds for the work. Government is aware of the desirability of the improvement, and the matter will not be lost sight of."

EDUCATIONAL GRANTS.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked:—

Will the Government be pleased to state what amounts were given to private colleges in Bengal severally during the years 1906-07, 1907-08, 1908-09 and 1909-10—

(*a*) as special grants from Provincial and Imperial revenues separately, and

(*b*) as recurring grants from Provincial revenues?

and

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

Will the Government be pleased to enlighten the public as to the amount of grants-in-aid allowed by the Local Government to each of the several colleges of this province during the years 1906-07, 1907-08 and 1908-09?

The Hon'ble MR. GOURLAY replied as follows to both these questions:—

"The Hon'ble Members will find the information asked for in the statistical statement (prepared by the Director of Public Instruction) which is laid upon the table."

Name of College.	1906-1907.					1907-1908.					1908-1909.					1909-1910.				
	Maintenance Grant.	Building Grant.	Any other special Grant.	Hostel Grant.	Imperial Grant.	Maintenance Grant.	Building Grant.	Any other special Grant.	Hostel Grant.	Imperial Grant.	Maintenance Grant.	Building Grant.	Any other special Grant.	Hostel Grant.	Imperial Grant.	Maintenance Grant.	Building Grant.	Any other special Grant.	Hostel Grant.	Imperial Grant.
	Rs.	Rs.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
St. Xavier's College	5,400	12,000	...	180	10,000	5,400	12,000		240	10,000	5,400	..	.	240	10,000	5,400	...	...	240	7,000
Midnapore College	5,028	3,721	...	135	5,000	5,550	5,000		180	...	5,730	...	.	180	...	5,550	...	2,700	180	500
Bangabasi College	...	20,000	..	360	12,000	12,000	9,550	9,550	480	21,550	12,000	..	..	480	5,000	9,500	...	..	480	10,500
Behar National College		...	..	...	...	2,200		...	385	7,000	2,400	...	...	355	7,000	2,400	...	...	384	10,000
Tej Narayan Jubilee College	...	.	..	...	10,000	.	..	..	..	5,000		...	...	...	4,000	...	...	...	..	3,000
City College	...		..	540	13,000		.	9,732	720	10,000	..		..	720	...	...	...	.	720	...
Metropolitan Institution			..	540	20,000	7,200	..	..	720	10 000	7,200	...	...	720	10,000	7,200	...	...	720	12,000
Dublin University M. College	4,800		..	..	...	4,800		.	.	10,000	12,000	..	4,000	...	6,000	12,000	...	...	...	2,000
Narail Victoria College	1,800	...	...	...	2,000	1,800				1,000	1,800	...	...	...	2,000	1,800	...	...	...	800
Daulatpur Academy	...	...	.		...	...	.	...		10,000		...	...	...	12,000	2,750	...	..	...	12,000
L. M. S. Institution, Bhowanipore	3,000	...	...	.		3,000		..		6,000	3,000	...	..	..	2,000	3,000	...	3,000	...	1,000
Diamond Jubilee College	...	..			7,000	..		...		.		..	.	...	.	...		.		...
D. M. S. College, Calcutta		.	–	..	5,000			...	...		...	...	...		...	.	...	...	..	...
Wesleyan Mission College, Bankura	...			200		.	..	...	360	..	...	...	...	360	5,000	2,700	10,000	...	360	300
Ripon College	...	.	...	900	...	..	..	..	1,200		...	...	...	1,200	.	.	..	...	1,200	..
Berhampore College			..	480	1,000	.	.	...	720	..	.	...	.	720	..	...	...	...	960	...
Burdwan Raj College		...		90	..	...			240	...	.		...	180		..	...	...	...	
General Assembly's Institution	9,600	...	..	.	10,000	9,600		...	..	10,000	19,350	..	...	900	...	20,000	..	...	...	10,000
Duff College	7,800				5,000	7,800	.	...	...											
Bishop's College	...		...	..	4,500		...		...	4,500	.	..	..		2,000	..	...	...	...	...
Bhumihar Brahman College	...	..	.	...	..		.			1 000		...	...	.	2,000	...		..	...	4,000
Hetampur College		.		...	2,500	..	..	500	.	.	...		.		2,000	...	...	...	..	...
Diocesan Mission College		..		.		...	.	..	...			...	..	.		...	...		..	200
Uttarpara College	...	...	...	..	4,000	..	.	.	.	...		.	..			...	...	.		3,300
Total ..	37,428	35,721		3,425	1,10,000	59,380	26,550	19,782	5,155	1,06,050	65,730	...	4,000	5,995	72,000	68,330	10,000	5,700	5,154	77,300

[*Maharaj-Kumar Gopal Saran Narayan Singh; Mr. Gourley; Maulvi Saiyid Muhammad Fakr-ud-din; Mr. Duke.*]

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH asked :—

(*a*) Will the Government be pleased to state how much aid per year is given by the State to the private colleges in Behar, and how much is spent on the up-keep of the Government College at Patna ?

(*b*) Will the Government be pleased to state how much is spent on the Presidency College in Calcutta, and how much aid per year is given by the State to the different colleges in Bengal ?

The Hon'ble MR. GOURLAY replied :—

(*a*) "During 1908-09 State aid to private colleges in Behar was approximately as follows :—

		Rs.
1.	Behar National College, Bankipore	9,755
2.	Tej Narayan Jubilee College, Bhagalpur ...	4,000
3.	Bhumihar Brahman College, Muzaffarpur ...	2,000

"During the same period the Patna College cost Government Rs. 41,729.

(*b*) "During 1908-09 State aid to private colleges in Bengal was approximately as follows :—

		Rs.
1.	Scottish Churches College	20,259
2.	St. Xavier's College	15,640
3.	L. M. S. College, Bhawanipur	5,000
4.	Victoria College, Narail	3,800
5.	Bangabasi College	20,480
6.	St. Columba's College, Hazaribagh	22,000
7.	Metropolitan Institution	17,920
8.	Daulatpur Hindu Academy	12,000
9.	Herampur College	2,000
10.	Wesleyan Mission College, Bankura	5,300
11.	Bishop's College	2,000

"During the same period the Presidency College cost Government Rs. 1,00,265."

DISTURBANCE IN THE BETTIAH SUB-DIVISION.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked :—

(*a*) Is the Government aware that about the time of the deplorable disturbance in the Bettiah sub-division of the Champaran district, the tenants petitioned the Government to have an independent inquiry made regarding their grievances ?

(*b*) Was such an inquiry made by Mr. Gourlay, Director of Agriculture, under the orders of the Government ?

(*c*) Has Mr. Gourlay's report on the subject been received by the Government ? If so, will the Government be pleased to publish the same ?

(*d*) Does the report disclose any permanent grievances of the raiyats ? If so, what action has the Government taken, or does it propose to take, to redress the grievances, and when may the public expect to receive a final pronouncement on the subject ?

The Hon'ble MR. DUKE replied :—

(*a*) *and* (*b*) "The answer is in the affirmative."

(*c*) "Mr. Gourlay's report has been received."

(*c*) *and* (*d*) "The report is under the consideration of this Government, and will be submitted in due course to the Government of India. Pending the receipt of the orders of the Government of India, this Government is unable to discuss the recommendations made in the report or the question of its publication."

[*Babu Braja Kishor Prasad; Mr. Wheeler; Rai Sita Nath Ray Bahadur.*]

DISTRICT AND LOCAL BOARDS IN THE TIRHUT DIVISION.

The Hon'ble BABU BRAJA KISHOR PRASAD asked:—

(*a*) Is the present Government of Bengal aware that in August, 1908, at the Government House, Bankipore, an address was presented to Sir Andrew Fraser, the late Lieutenant-Governor of Bengal, by a deputation of the people of Behar, organised by the Behar Landholders' Association, the Behar Provincial Association, and the Behar Provincial Muslim League?

(*b*) Is the present Government aware that in the said address the attention of the late Lieutenant-Governor was drawn to the following point?—

> "..... that the District Boards in the Tirhut Division have an overwhelming preponderance of the members of the European Planting Community, which materially affects the chances of the Beharees in the Tirhut Division of acquiring training and experience in methods of Local Self-Government ...."

(*c*) Is the present Government of Bengal aware that the late Lieutenant-Governor, in his reply to the said address, stated as follows?—

> "..... you refer to the representation of the European Planting Community on the District Boards in the Tirhut Division ... .. I have obtained the figures, and I certainly agree with you that the matter requires consideration ..... It is certainly desirable that the interests with which the work of the District Boards is concerned should be represented on the Boards with some degree of reasonable proportion."

(*d*) Will the Government be pleased to state what action has been taken, since the said reply was given, in the direction indicated by the late Lieutenant-Governor?

The Hon'ble MR. WHEELER replied:—

(*a*), (*b*) and (*c*). The answer is in the affirmative.

(*d*) "Under the amended Local Self-Government Act full authority has been delegated to Commissioners of Divisions to appoint the members of District Boards. The Commissioner of the Tirhut Division (then included in the Patna Division) was addressed on the subject in September 1908. The Lieutenant-Governor has since obtained further figures up to date, and has again communicated with the Commissioner. The Lieutenant-Governor in no way disagrees with the views expressed by Sir Andrew Fraser in 1908 in this matter."

MADARIPUR *BHIL* ROUTE.

The Hon'ble RAI SITA NATH RAY BAHADUR asked:—

(*a*) Will the Government kindly enlighten the public as to what has become of the project submitted by Mr. Stevenson-Moore, while Magistrate of the 24-Parganas, for the opening of a boat canal in continuation of the Madaripur *Bhil* route terminating into the river Hooghly near Budge-Budge?

(*b*) In view of the fact that the present so-called outer route is very unsafe and dangerous to inland steamers and flats, inasmuch as they have to pass through the Sundarbans and cross the mouth of the Bay, which causes a delay of two to three days in the journey to and from the Eastern districts, and the fact that the opening of a direct route between Calcutta and these districts would cause a great saving in both freight and time, will the Government be pleased to consider the advisability of opening such a direct route?

(*c*) If the scheme seems feasible, will the Government be pleased to communicate with the Government of Eastern Bengal for taking joint action in the matter and at joint expense?

[*Mr. Butler; Rai Sita Nath Ray Bahadur.*]

The Hon'ble MR. BUTLER replied:—

"I have considered it advisable to reply to all three questions by one answer so as to avoid reiteration.

"Mr. Stevenson-Moore reported in favour of a proposal made by Mr. Lees, Superintending Engineer, that there should be a direct steamer route between Khulna and the Hooghly *viâ* Tolly's Nullah.

"That proposal is now being considered from a financial aspect by this Government in communication with the Government of India.

"The cost will probably exceed one hundred lakhs, and unless the scheme can be regarded as a productive work, it will have to be abandoned.

"In the event of the present inquiries tending to show that the scheme could be a productive work, the financing will have to be carried out by the Imperial Government, and it would be for them to decide whether the Government of Eastern Bengal and Assam should be addressed on the subject."

TOLLY'S NULLAH.

The Hon'ble RAI SITA NATH RAY BAHADUR asked:—

(*a*) Has the attention of the Government been drawn to the silted-up state of the Tolly's Nullah, especially between the boat canal and Goria?

(*b*) Is it a fact that, the above portion having silted up, rice-laden boats cannot approach the great rice mart of Chetla?

(*c*) Has the Government received any representations from traders as to inconvenience resulting to the trade of Chetla from the silting up of the nullah?

(*d*) Is it not a fact that tolls are levied on boats passing along the Tolly's Nullah?

(*e*) Has the amount realised from tolls on Tolly's Nullah been spent on improving the nullah?

(*f*) Will the Government be pleased to take prompt steps for making the nullah navigable at all times?

(*g*) Will the Government be pleased to state whether any scheme for the canalisation of the Tolly's Nullah for boat traffic only is under consideration?

The Hon'ble MR. BUTLER replied:—

(*a*) "Yes."

(*b*) "It is not so, for at high tide rice-laden boats can have access to Chetla."

(*c*) "One Indian gentleman has written to Government seven letters complaining of the inconvenience and suggesting remedies."

(*d*) "Yes."

(*e*) "Not the whole."

(*f*) "With reference to this question, I would refer the Hon'ble Member to my reply to his questions concerning the Madaripur *Bhil* route.

(*g*) "No such scheme is under consideration."

[*Babu Bhupendra Nath Basu; Mr. Duke.*]

THE PROVINCIAL SERVICE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

Will the Government be pleased to lay on the table a statement showing the appointments to the Provincial Executive Service made since the abolition of competitive examinations, giving the following particulars?—

(1) (*a*) number of appointments in each Division filled up by nomination and the dates of such appointments,

(*b*) the nationality and religion of the candidates appointed,

(*c*) educational qualifications,

(2) and also, as regards the appointments made on the recommendation of the Calcutta University, the numbers, nationality and religion of the candidates, and their educational qualifications. In case of these last appointments, have University qualifications been always given the preference?

(3) and also to furnish the same particulars as regards the appointments made by the Government directly without the recommendations of the Divisional Commissioners or the University.

The Hon'ble MR. DUKE replied:—

"The particulars asked for in the three sections of the question are contained in the statements placed on the table.

"As regards appointments made on the recommendation of the University, the rule prescribes that the Syndicate shall be invited annually to nominate six graduates of high character whom they regard as the most distinguished students of the year. From amongst these, or graduates previously nominated under the same rule, the Lieutenant-Governor will, after inquiry, make three selections. The Lieutenant-Governor has no reason to believe that the Syndicate have not complied strictly with the provisions of the rule."

APPOINTMENTS MADE TO THE PROVINCIAL CIVIL SERVICE.

How appointed.	M.A., B.L.	M.A.	B.L.	B.A.	Other qualifications.	No University qualification.	Total.	Nationality and Religion.	
1905.									
Nominated by—									
Commissioner, Presidency Division.	1	...	...	...	.....	...	1	Bengali Hindu	1
Commissioner, Burdwan Division.	1	...	...	...	.....	...	1	Ditto	1
Commissioner, Patna Division.	...	...	...	1	.....	...	1	Muhammadan	1
Commissioner, Bhagalpur Division.	1	...	...	..	.....	...	1	Bengali Hindu	1
Commissioner, Orissa Division.	...	...	...	1	.....	...	1	Oriya Do.	1
Commissioner, Chota Nagpur Division.	...	...	1	...	.....	...	1	Native Christian	1
Calcutta University ..	...	3	...	...	.....	..	3	Bengali Hindu	3
Lieutenant-Governor's direct nomination.	...	1	2	2	.....	3	8	Ditto	3
								European ...	4
Promoted Sub-Deputy Collectors.	...	1	..	2	.....	2	5	Muhammadan	1
								Bengali Hindu	3
								Behari Do.	1
Appointed from other services.	...	...	...	...	.....	3	3	Muhammadan	1
								European ...	1
								Hillman ..	1
								Bengali Hindu	1
Total ...	3	5	3	6	.....	8	25		25
								Bengali Hindu	13
								Behari Do.	1
								Oriya Do.	1
								Muhammadan	3
								Native Christian	1
								European	5
								Hillman (Buddhist)	1
									25
								Hindu	15
								Muhammadan	3
								Christian	6
								Buddhist	1
1906.									25
Nominated by Commissioner, Presidency Division.	...	2	...	1	.....	...	3	Native Christian	1
								Bengali Hindu	1
								Muhammadan	1
Nominated by Commissioner, Burdwan Division.	...	1	1	...	.....	...	2	Native Christian	1
								Muhammadan	1
Nominated by Commissioner, Patna Division.	...	...	...	4	.....	...	4	Behari Hindu	2
								Muhammadan	2
Nominated by Commissioner, Bhagalpur Division.	...	...	1	1	.....	...	2	Behari Hindu	1
								Bengali Do.	1
Carried over ...	...	3	2	6	.....	...	11		11

POINTED.	M.A., B.L.	M.A.	B.L.	B.A.	Other qualifications.	No University qualification.	Total.	Nationality and Religion.		Rem
forward ...	...	3	2	6	.....	...	11		11	
concld.										
r, Orissa	...	...	...	3	.....	...	3	Oriya Hindu	2	
								Muhammadan	1	
r, Chota ivision.	...	...	.	2	.....	...	2	Bengali Hindu	1	
								Behari Do.	1	
versity ...	1	3	...	.	.....	...	4	Bengali Do.	4	
poration ...	1	...	.	.	.....	...	1*	Ditto	1	* In th
Governor's ition.	...	4	...	5	1 (Barrister)	8	18	Bengali Hindu	2	soli d
								Behari Do.	2	list th
								Muhammadan	5	been
								European ...	7	ded
								Native Christian	1	Lieut
								Oriya Hindu	1	Gover
Deputy Col-	2	5	2	20	.....	4	33	Bengali Do	22	direct
								Behari Do.	2	nation
								Muhammadan	5	
								Oriya Hindu	2	
								European ...	2	
om other	...	...	...	2	1 (Barrister)	4	7	Ditto	3	
								Bengali Hindu	3	
								Muhammadan	1	
l ...	4	15	4	38	2	16	79		79	
								Bengali Hindu	35	
								Behari Do.	8	
								Oriya Do.	5	
								Muhammadan	16	
								Native Christian.	3	
								European ...	12	
									79	
								Hindu ...	48	
								Muhammadan	16	
								Christian ...	15	
									79	
Presidency	...	...	...	1	.....	...	1	Native Christian.	1	
Burdwan	1	...	...	...	.. ...	...	1	Bengali Hindu	1	
Patna	...	...	...	2	.....	...	2	Behari Hindu	1	
								Muhammadan	1	
Bhagalpur	...	...	..	1	.....	...	1	Ditto	1	
Orissa	...	...	...	1	.....	...	1	Oriya Hindu	1	
Chota ion.	...	...	...	1	... ..	..	1	Behari Do.	1	
ity ...	1	2	...	...	.....	...	5	Bengali Do.	2	
								Behari Do.	1	
ernor's ion.	...	1	..	3	1 (Agricultural Diploma-holder).	3	8	Bengali Do.	3	
								Muhammadan	1	
								European ...	3	
								Native Christian	1	
...	2	3	...	9	1	3	18		18	

How appointed.	M.A., B.L.	M.A.	B.L.	B.A.	Other qualifications.	No University qualification.	Total.	Nationality and Religion.	R
Brought forward ...	2	3	...	9	1	3	18	18	
1907—*concld.*									
Nominated by—									
Promoted Sub Deputy Collectors.	...	2	...	2	.....	2	6	Bengali Hindu 3 Behari Do. 1 Muhammadan 2	
Appointed from other services.	...	...	...	...	.....	...	...		
Total ...	2	5	...	11	1	5	24	24	
								Bengali Hindu 9 Behari Do. 4 Oriya Do. 1 Muhammadan 5 European ... 3 Native Christian. 2 24	
								Hindu ... 14 Muhammadan 5 Christian ... 5 24	
1908.									
Nominated by—									
Commissioner, Presidency Division.	...	1	...	...	.....	...	1	Bengali Hindu 1	
Commissioner, Burdwan Division.	1	...	...	...	.....	...	1	Ditto 1	
Commissioner, Patna Division.	...	...	...	2	... ..	...	2	Muhammadan 1 Behari Hindu 1	
Commissioner, Bhagalpur Division.	...	...	.	1	... ..	...	1	Ditto 1	
Commissioner, Orissa Division.	...	...	...	1	.....	...	1	Oriya Hindu ... 1	
Commissioner, Chota Nagpur Division.	...	...	...	1	.....	...	1	Bengali Do. 1	
Calcutta University ...	...	3	...	...	.....	...	3	Ditto 2 Muhammadan 1	
Lieutenant-Governor's direct nomination.	...	...	1	3	.....	2	6	Bengali Hindu 4 Muhammadan 1 European ... 1	
Promoted Sub-Deputy Collectors.	...	...	...	2	.....	2	4	Bengali Hindu 1 Oriya Do. 1 Muhammadan 1 European ... 1	
Appointed from other services.	...	...	...	...	.....	1	1	Bengali Hindu 1	
Total ...	1	4	1	10	.....	5	21	21	
								Bengali Hindu 11 behari Do. 2 Oriya Do. 2 Muhammadan 4 European ... 2 21	
								Hindu ... 15 Muhammadan 4 Christian ... 2	

o.	M.A., B.L.	M.A.	B.L.	B A	Other qualifications.	No University qualification.	Total.	Nationality and Religion.		Remarks.
dency	...	1	.	...	.....	...	1	Bengali Hindu	1	
dwan	...	1	...	..	.....	...	1	Ditto	1	
Patna	...	...	...	1	.....	...	1	Muhammadan	1	
...	...	3	...	..	.....	...	3	Bengali Hindu	2	
								Muhammadan	1	
a o r's	1	...	...	3	.....	1	5	Bengali Hindu	2	
								Muhammadan	1	
								Native Christian	1	
								European	1	
Col-	1	1	3	2	.....	2	9	Bengali Hindu	5	
								Bohari Do.	2	
								Oriya Do.	1	
								Muhammadan	1	
ser-	...	...	...	...	.....	2	2	Ditto	2	
...	2	6	3	6	... ..	5	22		22	
								Bengali Hindu	11	
								Bohari Do.	2	
								Oriya Do.	1	
								Muhammadan	6	
								Native Christian	1	
								European	1	
									22	
								Hindu	14	
								Muhammadan	6	
								Christian	2	
									22	

APPOINTMENTS MADE TO THE PROVINCIAL CIVIL SERVICE SINCE

		Total number appointed.	Date of appointment.		Nationality and				
					Bengali Hindu.	Bihari Hindu.	Uriya Hindu.	Muhammadan.	Hillman Hindu and Buddhist.
1	*Division.*								
	Burdwan ...	6	1 in 1905	...	4	...	...	1	...
			2 in 1906	...	...	...		...	...
			1 in 1907	...	...	...	...	...	...
			1 in 1908	...	...	...		...	...
			1 in 1909	...	...	...	...	...	...
			6						
	Presidency ...	7	1 in 1905	...	4	...	...	1	...
			3 in 1906	...	...	..	...	...	...
			1 in 1907	...	...	...	...	...	...
			1 in 1908	..	...	...	...	...	...
			1 in 1909	...	...	...	...	...	...
			7						
	Patna ...	10	1 in 1905	...	...	4	...	6	.
			4 in 1906	...	...	...	...	...	...
			2 in 1907	...	...	...	..	..	...
			2 in 1908	...	...	...	...	...	...
			1 in 1909	...	...	.	...	...	...
			10						
	Bhagalpur ...	5	1 in 1905	...	2	2	...	1	...
			2 in 1906	...	...	...	...	...	...
			1 in 1907	...	...	...	...	...	...
			1 in 1908		...	...	...	...	...
			Nil in 1909	...	...	...	...	...	...
			5						
	Orissa ...	6	1 in 1905	...	...	...	5	1	...
			3 in 1906	...	...	...	...	...	...
			1 in 1907	...	...	...	...	...	...
			1 in 1908	...	...	...	...	...	...
			Nil in 1909	...	...	...	...	...	...
			6						
	Chota Nagpur	5	1 in 1905	...	2	2	...	...	...
			2 in 1906	...	...	...	...	...	...
			1 in 1907	...	...	...	...	...	...
			1 in 1908	...	...	...	...	...	...
			Nil in 1909	...	...	...	...	...	...
			5						
	Total ...	39	...		12	8	5	10	...

'HE ABOLITION OF THE COMPETITIVE EXAMINATION IN 1905.

'ELIGION.		EDUCATIONAL QUALIFICATIONS.						REMARKS.
'Native Christian.	European.	M.A., B.L.	M.A.	B.L.	B.A.	Other qualification.	No university qualification.	
1	...	3	2	1	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
2	...	1	4	...	2	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
..	...	...	...	...	10	.....	...	
..	...	...	...	...	...	.....	...	
..	...	...	...	...	...	.....	...	
..	...	...	...	...	..	.....	...	
..	...	...	...	...	...	.....	...	
.	...	1	...	1	3	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	6	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	...	.....	...	
.	...	...	...	...	...	.....	...	
	...	...	...	1	4	.....	...	
	...	...	..	...	...	.....	...	
	...	...	...	...	...	.....	...	
	...	...	...	...	...	.....	...	
	...	...	...	...	...	.....	...	
	...	5	6	3	25	.....	...	

		Total number appointed.	Date of appointment.	Nationality and				
				Bengali Hindu.	Bihari Hindu.	Uriya Hindu.	Muhammadan.	Hillman Hindu and Buddhist.
2	University ...	16	3 in 1905 ...	13	1	...	2	...
			4 in 1906 ...	...	...	...	...	...
			3 in 1907 ...	...	...	...	..	...
			3 in 1908 ...	...	...	...	...	...
			3 in 1909 ...	...	...	...	...	...
			16					
3	Direct nomination.	46	8 in 1905 ...	15	2	1	9	...
			19 in 1906 ...	...	...	...	...	...
			8 in 1907 ...	...	...	...	...	...
			6 in 1908 ...	...	...	...	...	...
			5 in 1909 ...	...	...	...	...	...
			46					
4	Promoted and appointed from other services.	70	8 in 1905 ...	39	6	4	13	1
			40 in 1906 ...	...	...	...	...	...
			6 in 1907 ...	...	...	...	...	...
			5 in 1908 ...	...	...	...	...	...
			11 in 1909 ..	..	...	...	...	...
			70					

Religion.		Educational qualifications.						Remarks.
Native Christian.	European.	M.A., B L.	M.A.	B.L.	B.A.	Other qualification.	No University qualification.	
...	...	2	14	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
3	16	2	6	3	16	2*	17	*1 Barrister-at-Law; 1 Agri. Diploma-holder.
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	7	3	9	5	30	1 (Barrister)	22	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	
...	...	...	...	...	...	.....	...	

THE PROVINCIAL AND SUBORDINATE CIVIL SERVICES.

In connection with the Hon'ble Mr. Duke's reply to this Question, the following statements were also placed on the table.

Statement showing the appointments made to the Provincial Civil Service during five years before the abolition of the Competitive Examination in 1905.

Year.	M. A., B. L.	M. A.	B. L.	B. A., Honours	B. A., Pass.	Other qualifications.	No University qualification.	Total.	Bengali Hindus.	Behari Hindus.	Oriya Hindus.	Muhammadans.	Christians.	Total.
1900	2	1	1	2	3	...	4	13	7	...	3	...	3	13
1901	2	3	...	...	6	...	10	21	13	1	1	4	2	21
1902	2	2	1	2	4	...	3	14	9	1	...	2	2	14
1903	...	3	...	5	6	1 (Barrister-at-law.)	11	26	12	...	2	5	7	26
1904	3	6	1	6	22	1 (Barrister-at-law.)	5	44	22	4	3	9	6	44
Total ...	9	15	3	15	41	2	33	118	63	6	9	20	20	118

[1916

Statement showing the appointments made to the Provincial Civil Service since the year 1905 (after the abolition of the Competitive Examination).

Year.	M. A., B. L.	M. A.	B. L.	B. A., Honours.	B. A., Pass.	Other qualifications.	No University qualification.	Total.	Bengali Hindus.	Bihari Hindus.	Oriya Hindus.	Muhammadans.	Christians.	Hillman, Buddhist	Total.
1905	3	5	3	2	4	...	8	25	13	1	1	3	6	1	25
1906	4	15	4	7	31	2 (Barristers-at-law.)	16	79	35	8	5	16	15	...	79
1907	2	5	...	3	8	1 (Agriculture diploma holder.)	5	24	9	4	1	5	5	...	24
1908	1	4	1	2	8	...	5	21	11	2	2	4	2	...	21
1909	2	6	3	2	4	...	5	22	11	2	1	6	2	...	22
Total ...	12	35	11	16	55	3	39	171	79	17	10	34	30	1	171

Statement showing the appointments made to the Subordinate Civil Service during five years before the abolition of the Competitive Examination in 1905.

Year.	M. A., B. L.	M. A.	B. L.	B. A., Honours.	B. A., Pass.	Other qualifications.	No University qualification.	Total.	Bengali Hindus.	Bihari Hindus.	Oriya Hindus.	Muhammadans.	Christians.	Hillmen, Buddhists and Hindus.	Total.
1900	...	...	...	...	2	...	1	3	...	1	...	1	...	1	3
1901	...	...	...	1	2	1 (Agri. diploma holder).	2	6	5	1	...	...	...	...	6
1902	1	5	3	1	20	1 (Agri. diploma holder).	8	39	22	6	1	8	2	...	39
1903	...	1	1	...	6	1 (Agri. diploma holder.)	3	12	6	2	1	3	...	...	12
1904	1	2	4	2	8	...	19	36	21	3	1	8	1	2	36
Total ...	2	8	8	4	38	3	33	96	54	13	3	20	3	3	96

Statement showing the appointments made to the Subordinate Civil Service since the year 1905 (after the abolition of the Competitive Examination).

Year.	M. A., B. L.	M. A.	B. L.	B. A., Honours.	B. A., Pass	Other qualifications.	No University qualification.	Total.	Bengali Hindus.	Bihari Hindus.	Oriya Hindus.	Mahammadans.	Christians.	Hillmen, Buddhists and Hindus.	Total.
1905	2	16	5	4	37	...	16	80	54	3	4	14	5	...	80
1906	2	9	9	2	32	1 (B. Sc.)	16	71	42	6	5	11	6	1	71
1907	...	...	...	3	10	...	10	23	8	4	3	5	3	...	23
1908	...	1	...	...	7	...	6	14	3	2	2	3	2	2	14
1909	...	4	...	...	9	...	2	15	7	2	1	5	...	...	15
Total ...	4	30	14	9	95	1	50	203	114	17	15	38	16	3	203

[*Mr. Dutt*; *Mr. Duke.*]

THE PROVINCIAL SERVICE.

The Hon'ble MR. K. B. DUTT asked:—

(*a*) Is the Government aware that there is a good deal of disappointment, and, in consequence, discontent, among members of the Executive branch of the Provincial Civil Service, on account of repeated extensions being granted, varying from two to five years, to the members of the aforesaid Service who are now in the first grade?

(*b*) Will the Government be pleased to stop giving such extensions in future beyond the period of one year?

The Hon'ble MR. DUKE replied:—

(*a*) "Government is not aware that reasonable disappointment or discontent prevails among members of the Executive Branch of the Provincial Civil Service.

(*b*) "The policy of Government in respect of extensions of service is laid down in Article 459 of the Civil Service Regulations. The substance of this article is as follows:—

(*a*) an officer who has attained the age of 55 may be required to retire by the Local Government under which he is employed;

(*b*) the rule should be worked with discretion in order to avoid depriving the State of the valuable experience of really efficient officers and adding unnecessarily to the non-effective charges. In the case of officers holding superior appointments, the standard of efficiency by which retention is to be decided is above the standard required in lower appointments. In every case in which the rule is enforced, the reasons for enforcing it should be recorded;

(*c*) each such officer's case should be taken up when he is 55 years old, and before the expiry of each extension of service. In every case the extension should be given for not more than one year at a time;

(*d*) an officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the Local Government.

"This policy is in strict accordance with the directions of the Secretary of State communicated in the Despatch of the 23rd May, 1889, which were expressed as follows:—

'I desire, however, to point out that the question of requiring the retirement of an officer at the age of 55 years should be decided with reference to the efficiency of the officer and the interests of the public service, and that the rule in question should not be enforced merely for the sake of giving promotion to juniors, thereby unnecessarily adding to the charges for superannuation.'

"The guiding principle is that the services of every public officer should be retained so long as he is thoroughly efficient in the performance of his duties, and no longer. It is obviously not to the interests of the public to pay pensions to men who might be profitably employed.

"The age of 55 in no way indicates a limit for employment. It represents merely the age at which experience has shown that it becomes necessary to make special inquiry as to whether an officer is still fully efficient.

"The Lieutenant-Governor sees no reason to institute any change of policy in this respect."

DÂK BUNGALOWS IN HAZARIBAGH AND RANCHI.

The Hon'ble MR. K. B. DUTT asked:—

(*a*) Will the Government be pleased to state whether the provisions of clause (*i*) of section 100 of the Bengal Local Self-Government Act of 1885 have been extended to the District Boards of Ranchi and Hazaribagh? If so, when?

The Bengal Cess (Amendment) Bill, 1909.

The Calcutta Port (Amendment) Bill, 1909.

[*Mr. Dutt; Mr. Wheeler; Mr. Macpherson; Sir Frederick Dumayne.*]

(*b*) Will the Government be pleased to state whether any rules have been framed by His Honour the Lieutenant-Governor of Bengal under the provisions of section 100 of the said Act? If so, where are the same to be found?

(*c*) Is the Government aware that the District Board of Hazaribagh has opened a house, under the name of Dâk Bungalow, in Hazaribagh, for the residence and accommodation of visitors and families seeking change or pleasure, and have constituted a committee, consisting of the Civil Surgeon, the Superintendent of Police, the Senior Deputy Magistrate, and the District Engineer, for its management, and that the District Board has been advertising the existence of such an institution in Calcutta papers, inviting people to come and stay there on certain terms, in the following words?—

"A fully-furnished Dâk Bungalow has been opened under the District Board, with a committee, consisting of the Civil Surgeon, Superintendent of Police, Senior Deputy Magistrate and District Engineer. It is located in a well-lighted and well-ventilated *pucca* building, with a full set of out-houses, stables and *garage*, and is centrally situated near the Post and Telegraph Offices, the Club, golf links, and the Courts. Charge is Rs. 4 a day for a single gentleman and Rs. 5-8 and Rs. 6-8 for married couples. Further particulars can be had from the District Engineer, Hazaribagh."

(*d*) Will the Government be pleased to state how much money the Board have spent in connection with the said institution up to date?

(*e*) Will the Government be pleased to pass orders directing the closure of the bungalow in question?

(*f*) Is the Government aware that a suit against the District Board of Hazaribagh is going to be instituted for the alleged misapplication of the District Board funds in constructing and maintaining the said institution?

(*g*) Will the Government be pleased to state whether a similar institution has been established at Ranchi with the District Board funds?

(*h*) If so, will the Government kindly state the amount of money spent thereupon up to date?

The Hon'ble MR. WHEELER said:—

"I ask permission to answer this question at the next meeting of Council. The papers were sent to His Honour the Lieutenant-Governor on tour, and they have not as yet been received back."

The answer to this question was accordingly postponed to the next meeting of the Council.

THE BENGAL CESS (AMENDMENT) BILL, 1909.

The Hon'ble Mr. W. C. Macpherson moved that the Bill to amend the Cess Act, 1880, be referred to a Select Committee, consisting of the Hon'ble Mr. Slacke, the Hon'ble Mr. Collin, the Hon'ble Mr. Wheeler, the Hon'ble Maharaja Sir Prodyot Kumar Tagore, the Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, the Hon'ble Rai Shiba Shankar Sahai Bahadur, the Hon'ble Mr. Das and the Mover.

The motion was put and agreed to.

THE CALCUTTA PORT (AMENDMENT) BILL, 1909.

The Hon'ble Sir Frederick Dumayne moved that the figures "1910" be substituted for the figures "1909" in clauses 1 and 3 (*1*) of the Bill further to amend the Calcutta Port Act, 1890.

The motion was put and agreed to.

The Hon'ble Sir Frederick Dumayne also moved that the Bill, as amended in Council, be passed.

The motion was put and agreed to.

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1909.

The Hon'ble Mr. Duke moved that the Hon'ble Mr. Gourlay be added to the Select Committee on the Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866.

He said :—

"The Hon'ble Mr. Cumming was a Member of this Committee. Mr. Cumming has gone on furlough, and Mr. Gourlay has succeeded to his office. That is the reason of the motion."

The motion was put and agreed to.

THE BENGAL MUNICIPAL (AMENDMENT AND VALIDATION) BILL, 1909.

The Hon'ble Mr. Wheeler presented the Report of the Select Committee on the Bill to declare the meaning of certain words in clause (*b*) of section 66 of the Bengal Municipal Act, 1884.

The Hon'ble Mr. Wheeler then moved that the Report of the Select Committee be taken into consideration.

He said :—

"The objects of the Bill were explained by me two Councils ago, and the opinions received have not added very much to the facts which were then known. The measure has been generally accepted as suitable, and the only suggestion of the Select Committee is a formal one for the alteration of the year."

The motion was put and agreed to.

The Hon'ble Mr. Wheeler also moved that the Bill be passed.

The motion was put and agreed to.

RESOLUTIONS.

The Hon'ble BABU BAIKUNTHA NATH SEN was to have moved the following Resolutions :—

I.—The Council recommend to the Lieutenant-Governor—

(*a*) that the system of appointment to the Provincial Service by nomination be abolished, and

(*b*) that the competition test be restored, and

(*c*) that competitive examinations for the selection of the requisite number of officers for the Executive Branch of the Provincial Service be held in as many centres as there are seats of Divisional Commissioners, with such standards for the test as may be deemed proper and fair.

II.—Should the recommendation for competitive examination, as made in the foregoing Resolution, be not deemed fit to be accepted, the Council further recommend to the Lieutenant-Governor that a competitive special examination be held for selection amongst those candidates who may be nominated by the Divisional Commissioners and the Calcutta University.

Certain other Members were to have moved amendments to the foregoing Resolutions.

[*Babu Baikuntha Nath Sen; the Vice-President.*]

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"Instead of moving the Resolutions which stand in my name this day, I ask Your Honour to permit me to move these Resolutions at the next meeting. My reasons for asking for this adjournment are these. On the last occasion when I asked for a postponement, I waited for certain information which was to be given in reply to questions which were put by my Hon'ble colleague, Babu Bhupendra Nath Basu. The information has now been given, and it has been placed on the table to-day. There has not been sufficient time to study it. Besides, there are four amendments proposed, and I have consulted with three of my Hon'ble colleagues who proposed amendments, and they also think that they should have further time to study the figures which have been supplied in response to the Hon'ble Babu Bhupendra Nath Basu's questions. The question being an important one, it should be discussed after a thorough study of the papers. If Your Honour will permit (and I think the Hon'ble gentlemen who have sent in amendments to my Resolutions are agreeable), I will move the Resolutions at the next meeting."

The Vice-President:—

"If the Hon'ble Member sees no objection, and if the movers of the amendments are willing, I would postpone the discussion of these Resolutions and the amendments thereto to Monday, the 14th of March. The next meeting of the Council will be on the 12th of March; but owing to that day being the Convocation Day, there will be no time to take up these Resolutions and amendments on that day, because the Revised Financial Statement is to be presented. Therefore, if you see no objection, I would postpone this to the 14th."

The motions were accordingly postponed till the 14th March.

The Council was adjourned to Saturday, the 12th March, 1910.

CALCUTTA;
The 4th March, 1910.

F. G. WIGLEY,
Secretary to the Bengal Legislative Council.

Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Saturday, the 12th March, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding.*

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President.*

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. T. W. RICHARDSON.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble BABU BHUPENDRA NATH BASU.

The Hon'ble LIEUT.-COL. G. GRANT GORDON.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., MAHARAJADHIRAJA BAHADUR of Burdwan.

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH.

The Hon'ble RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GHULAM HUSAIN KASIM ARIF.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MR. K. B. DUTT.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble MR. M. S. DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble RAI KISHORI LAL GOSAIN BAHADUR.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

QUESTIONS AND ANSWERS.

DÂK BUNGALOWS IN HAZARIBAGH AND RANCHI.

The Hon'ble MR. K. B. DUTT asked:—

(*a*) Will the Government be pleased to state whether the provisions of clause (*1*) of section 100 of the Bengal Local Self-Government Act of 1885 have been extended to the District Boards of Ranchi and Hazaribagh? If so, when?

[*Mr. Wheeler*]

(*b*) Will the Government be pleased to state whether any rules have been framed by His Honour the Lieutenant-Governor of Bengal under the provisions of section 100 of the said Act? If so, where are the same to be found?

(*c*) Is the Government aware that the District Board of Hazaribagh has opened a house, under the name of Dâk Bungalow, in Hazaribagh, for the residence and accommodation of visitors and families seeking change or pleasure, and have constituted a committee, consisting of the Civil Surgeon, the Superintendent of Police, the Senior Deputy Magistrate, and the District Engineer, for its management, and that the District Board has been advertising the existence of such an institution in Calcutta papers, inviting people to come and stay there on certain terms, in the following words?—

"A fully furnished Dâk Bungalow has been opened under the District Board, with a committee, consisting of the Civil Surgeon, Superintendent of Police, Senior Deputy Magistrate and District Engineer. It is located in a well-lighted and well-ventilated *pucca* building, with a full set of out-houses, stables and *garage*, and is centrally situated near the Post and Telegraph Offices, the Club, golf links, and the Courts. Charge is Rs. 4 a day for a single gentleman and Rs. 5-8 and Rs. 6-8 for married couples. Further particulars can be had from the District Engineer, Hazaribagh."

(*d*) Will the Government be pleased to state how much money the Board have spent in connection with the said institution up to date?

(*e*) Will the Government be pleased to pass orders directing the closure of the bungalow in question?

(*f*) Is the Government aware that a suit against the District Board of Hazaribagh is going to be instituted for the alleged misapplication of the District Board funds in constructing and maintaining the said institution?

(*g*) Will the Government be pleased to state whether a similar institution has been established at Ranchi with the District Board funds?

(*h*) If so, will the Government kindly state the amount of money spent thereupon up to date?

The Hon'ble MR. WHEELER replied:—

(*a*) "The provisions of section 100 (1) of the Bengal Local Self-Government Act of 1885 (Ben. Act III of 1885), were extended to the Hazaribagh District Board under Notification No. 1303L.S.-G., dated the 19th March, 1900, and to that of Ranchi under Notification No. 1322L.S.-G., also dated the 19th March, 1900.

(*b*) "No rules have been framed by the Lieutenant-Governor under section 100 of the Local Self-Government Act of 1885.

(*c*) "Up till April 1899 a Dâk Bungalow was maintained by Government at Hazaribagh. In July 1908 the District Board resolved to open a Dâk Bungalow under their own supervision. A Committee of Management has been appointed as stated in the question of the Hon'ble Member, and the existence of the bungalow has also been advertised.

(*d*) "It is reported that Rs. 3,117 has been spent by the District Board upon the bungalow.

(*e*) "Government is not prepared to order the closure of the bungalow. It appears to meet a need as a staging bungalow for the use of travellers, such as it is open under the Act to the District Board to construct. It is possible that the fact that its existence has been advertised has led to the impression that it was not intended as a staging bungalow of the ordinary type, and His Honour will direct such advertisements to be discontinued.

[*Babu Bhupendra Nath Basu; Mr. Wheeler; Maharaj Kumar Gopal Saran Narayan Singh.*]

(*f*) "Government has no information regarding any impending suit against the District Board in connection with the construction of this bungalow.

(*g*) "The District Board of Ranchi maintains a staging bungalow at Ichadag to which, it is understood, the Hon'ble Member refers.

(*h*) "The estimated cost of construction and equipment of this bungalow is Rs. 11,990, of which Rs. 9,078 have been spent up to date."

DRINK TRAFFIC AMONGST THE KHONDS.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) Has the attention of the Government been drawn to the letter of the Rev. Mr. Millman appearing in the *Statesman* of the 16th February, 1910, regarding the drink traffic amongst the Khonds?

(*b*) Is it true that in 1909 the Khonds took a vow to abstain from drink, with the result that licenses for three liquor shops only were sold?

(*c*) Is it true that in 1910, in spite of the protests of the Khonds, licenses for 27 shops were sold?

(*d*) Is it a fact that crime and the transfer of land diminished with the diminution in the number of shops and have increased with the increase of shops?

(*e*) Will the Government be pleased to order an inquiry into the matter?

The Hon'ble MR. WHEELER replied:—

(*a*) "Yes.

(*b*) "It was reported in 1908 that the Khonds had taken a vow not to drink, and out of 27 liquor shops sanctioned for the year 1908-09, the licenses of four only were settled, of which three were afterwards surrendered. Later in the year eight shops were settled. It was stated by the local officers that the prevalence of famine conditions and the scarcity of *mahua* had also rendered the Sunris unwilling to take settlement.

(*c*) "Twenty-seven shops were settled for 1909-10. Government is not aware whether at that time any protests were made by the Khonds.

(*d*) "No information is available as to the effect upon crime and the transfer of land of the closure of shops.

(*e*) "The Commissioner has been asked to inquire into the matter. But it should be noted that prior to the introduction of the auction system in the Khond Mahals in 1888-89 as many as 470 shops were licensed."

THE PATNA COLLEGE.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH asked:—

In view of the fact that, since the coming into force of the new rules of the University, there is now no College in Bihar teaching up to the M.A. standard of any subject, will the Government be pleased to state if it be practicable to open M.A. classes in the Patna College for such comparatively inexpensive subjects as English, Sanskrit, Pali, Arabic, Persian, Mental and Moral Philosophy, Political Science, History and some of the simpler Natural Sciences?

[*Mr. Gourlay; Maharaj-Kumar Gopal Saran Narayan Singh.*]

The Hon'ble MR. GOURLAY replied:—

"The Patna College has received the full affiliation which the present strength of its staff justifies. The additional affiliation as contemplated by the Hon'ble Member can be obtained only by a corresponding increase of staff, and this is not practicable.

"A comparatively small number of students read up to the M. A. standard, and therefore the policy of the University is to concentrate the teaching in one or two Colleges in Calcutta. Only two Colleges have as yet received affiliation up to the M. A. standard: the Presidency College in four subjects and the Scottish Churches College in two subjects.

"To enable graduates with sufficient ability to prosecute their studies up to the M. A. degree in the Presidency College, Government scholarships have been created."

THE PATNA COLLEGIATE SCHOOL.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH asked:—

(*a*) Has the attention of the Government been drawn to the fact that the Government School in Bankipore is located in a hired house, which has no grounds attached to it for a play-ground?

(*b*) Will the Government be pleased to state if it is intended to take any steps to meet this want?

The Hon'ble MR. GOURLAY replied:—

"(*a*) Government is aware that the Zilla School in Bankipore is located in a hired house and that no play-ground is attached. The University requires that a College and a Collegiate school should not be held in the same building, and the removal of the school from the College building was necessary to provide the College with increased accommodation. The arrangements for the school are temporary.

"(*b*) Inquiries will be made with a view to provide the school with a temporary play-ground."

BIHARI STUDENTS IN CALCUTTA.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH, asked:—

(*a*) Has the attention of the Government been drawn to the fact that the number of Bihari students in Calcutta has increased largely of late; and that, as there is no proper messing arrangement for them in any of the boarding establishments licensed by the Colleges, great difficulty is experienced, especially by the Hindu section of the Bihari students?

(*b*) Will the Government be pleased to state if any step is intended to be taken to meet the difficulty?

The Hon'ble MR. GOURLAY replied:—

"(*a*) and (*b*) Government is not aware that there are no proper messing arrangements for Bihari students in Calcutta. According to the University regulations, it is the duty of the authorities of affiliated Colleges to provide hostels or messes for students of the College not living with their parents or guardians."

Revised Financial Statement.

[Maharaj-Kumar Gopal Saran Narayan Singh; Mr. Gourlay; Maulvi Saiyid Muhammad Fakr-ud-din; Mr. Duke; the President.]

BIHARI FELLOWS OF THE CALCUTTA UNIVERSITY.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH asked:—

(*a*) Is the Government aware that at present there are only four Biharis who are ordinary Fellows of the Calcutta University, out of a total of nearly 00, and that, of these four, two are Government Officials?

(*b*) Will the Government be pleased to bear this in mind when the next atch of nominations has to be made?

The Hon'ble MR. GOURLAY replied:—

"(*a*) and (*b*). The nomination of Fellows of the University rests with he Chancellor and not with the Local Government."

PROVINCIAL EXECUTIVE SERVICE.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

Will the Government be pleased to supply information as to the number f Muhammadans and Bihari Hindus who got appointments to the Provincial xecutive Service by the test of competitive examination during the years 900 to 1904?

The Hon'ble MR. DUKE replied:—

"The number of Muhammadans and Bihari Hindus who were appointed o the Provincial Executive Service by the competitive test in the years 1900 o 1904 was nil."

THE REVISED FINANCIAL STATEMENT.

THE PRESIDENT said:—"Gentlemen: The next business before the ouncil consists of the presentation of the revised Financial Statement, nd the discussion of the Resolutions of which notice has been given. In eference to this, I wish to say just one or two words because a certain isapprehension appears to have arisen in the minds of one or two of the Ion'ble Members. From the notes of their speeches which some of the Ion'ble Members have been good enough to send in, it seems that they re under the impression that at this stage a general discussion of the Budget s permissible. Now, Gentlemen, if these Hon'ble Members had referred o the rules, they would find that this is not contemplated at the present stage. he rules distinctly lay down that at this stage the Hon'ble Member in harge of each Budget head or group of heads shall explain to the Council the ature of the items of revenue and expenditure with which that group or head s concerned and that then it is open to any Member to move a Resolution with egard to that head or group of heads, and then any other Member is at liberty o speak on that Resolution. But if no Resolution has been notified or moved n the regular way, then there is no discussion permissible at the present stage. ll the discussion that is required will take place when the Budget is presented o the Council. Some of the Hon'ble Members who have been good enough to end in notes of the heads of their speeches are under the impression that they ould discuss the whole subject matter of the Budget at present. Now, I don't ish to cause any disappointment to these Hon'ble Members. Therefore, I ropose for to-day's meeting only to allow a certain latitude and I will not, herefore, rule out of order any remarks that may be made, even though no Resolution may have been moved in connection with the particular head r group of heads under discussion. It must, however, be understood in nture that the rules must be strictly complied with. This will take effect

[*Mr. Wheeler.*]

from Monday next. The rules are the same as they are in the Council of His Excellency the Viceroy, and those of us who belong to both Councils are aware that last week when the Imperial Budget was presented, the rules were strictly complied with and worked easily and well.

"The only stipulation which I wish to lay down at present is that any Hon'ble Member, who without having moved a Resolution, wishes to speak, must confine his remarks to the particular head or group of heads which happen to be before the Council at the time. It will not be convenient if, for instance, when the head of 'Education' is before the Council, that an Hon'ble Member should discuss 'Police' or 'Justice' or anything of that kind."

The Hon'ble Mr. WHEELER presented the Revised Financial Statement for 1910-11.

REVISED FINANCIAL STATEMENT, BENGAL, 1910-11.

FINANCIAL DEPARTMENT.

FINANCE.

CALCUTTA, THE 11TH MARCH 1910.

MEMORANDUM.

IN accordance with rule 10 (*4*) of the rules for the discussion of the Financial Statement, published with Notification No. 4033 F., dated the 28th December 1909, the following memorandum is circulated indicating the alterations in the figures which have been made since the circulation of the amended draft Financial Statement, Bengal, for 1910-11, on the 5th instant.

2. The only changes which have been made are in the Budget figures, 1910-11, and are under "IV—Stamps" and "I—Land Revenue adjustments." In consequence of alterations in the original Stamp (Amendment) Bill, the estimate of receipts under "Stamps" has been reduced by Rs. 40,000, of which the Provincial share is Rs. 20,000. A consequential reduction of like amount has been made under "Land Revenue adjustments" in the recovery from Provincial revenues in favour of Imperial in connection with the new scheme of taxation. The following corrections have accordingly been made in the Revised Financial Statement:—

	Rs.
IV—Stamps (Provincial share)	(—) 20,000
I—Land Revenue (decrease in assignment from Provincial to Imperial in connection with the new scheme of taxation) ...	(+) 20,000

The Provincial balance on the 31st March 1911 stands at Rs. 70,00,000.

3. Copies of the Revised Financial Statement are circulated herewith.

H. WHEELER,

Secretary to the Government of Bengal.

AMENDED DRAFT FINANCIAL STATEMENT, BENGAL, 1910-11.

In accordance with Rule 10(2) and (3) of the rules for the discussion of the Financial Statement, published with Notification No. 4033 F., dated the 28th December 1909, the following memorandum is circulated in explanation of the general financial situation of the province in the current and ensuing years, and the estimates of revenue and expenditure under the various major heads.

2. More detailed notes in connection with the different entries in the estimates are annexed herewith. The main differences in the procedure to be followed this year in the discussion of the Revised Financial Statement now, and hereafter, of the Budget, were explained to the Council on the 28th January 1910. The Council is at present concerned with the Revised Financial Statement, but the detailed notes have been drawn up upon lines similar to those adopted at the presentation of the Budget for 1909-10, there having been no preliminary discussion of the Revised Financial Statement in 1909. Only two changes of importance have been introduced. In connection with the Budget for 1909-10, actual figures of receipts and charges for four earlier years were set forth in the statements furnished to the Council. On this occasion the figures for three years only, starting from 1906-07, have been given, which will, it is thought, afford all the information necessary for the due appreciation of the fluctuations in income and expenditure, while the year 1906-07, being the first year of the current provincial settlement, is a convenient starting point for discussion. Secondly, an attempt has been made to give prominence to the *new* items of expenditure which appear in the estimates for 1910-11, and in which the Council is particularly interested. The normal recurring expenditure of administration must in any case be provided for; it is from the new obligations to be undertaken that the progress of the province can be gauged. A schedule of new schemes, included in the estimates which are estimated to cost more than Rs. 5,000 in any one year, has been prepared, while mention of the new items of expenditure of less amount has been made in paragraph 11 of the General Review. The latter list is not, perhaps, absolutely exhaustive, but it is not believed that there are any omissions of importance. A distinction also has been drawn between charges which are recurring and those which are of a non-recurring nature, the present financial situation demanding the exercise of caution in the acceptance of fresh recurring liabilities. Those schemes in the schedule which were not considered by the Local Government to be of an obligatory character were considered by the Finance Committee of the Council, and the proposals for new works in charge of the Public Works Department, detailed in paragraph 59 of the General Review, were also laid before them.

3. Since the discussion of the different major heads will be introduced in detail by the various Members in charge, it is not necessary in the present memorandum to do more than draw attention to the salient features of the two years with which the estimates deal. The predominating note of these two years is unfortunately one of depleted balances and limited resources, although the position for the ensuing year has been saved to some extent by the assistance which the Government of India have been able to give us. In the absence of that special help, it would have been impossible to undertake various schemes of importance which are urgently called for. Even as it is, it has been necessary to postpone others, the need for which is scarcely less pressing. In presenting the Budget for the current year, the Hon'ble Mr. Oldham drew attention to the continuous reduction of the provincial balances since the year 1903-04, which he attributed to the heavy outlay incurred on Public Works, to the unusually rapid expansion of the Police and Education Departments, and to the unfavourable seasons of the three years ending with 1908-09, which both necessitated heavy expenditure upon famine relief and the payment of compensation for high prices to the subordinate servants of Government, and checked the growth of revenue which might otherwise have been hoped for. As the Council is aware, our balances are at present swollen fictitiously by the

inclusion in them of the sum of Rs. 50,00,000 which is earmarked on account of the Calcutta Improvement Scheme. To understand the true facts this should be left out of consideration, and this is done in the figures quoted below. Assuming its exclusion, it will be seen that the year 1908-09 closed with a balance of Rs. 8,43,000 only, whereas our prescribed minimum balance is Rs. 20,00,000. The Budget for the year 1909-10 was framed upon the basis of an estimated closing balance of *nil*. Fortunately the net result of the fluctuations of receipts and expenditure proved more in our favour than had been anticipated, and had we been left without any special help from the Government of India other than the usual assignments, the revised estimates for 1909-10 would have shown an estimated closing balance of Rs. 6,95,000. Land Revenue, Public Works Cess, and Irrigation Rates are all anticipated to give a better yield than had been expected, although this improvement is far more than counterbalanced by heavy losses under Stamps, Excise, Assessed Taxes, Forests, Registration, Jails and Education. Under the first five heads it was hoped that the revenue would increase at a normal rate, but the expectation has not been realized. On the expenditure side there are considerable savings, the most satisfactory features of which are the economies under Famine Relief and Grain Compensation Allowance, and the smaller expenditure on measures for the prevention of plague, due to the diminished severity of that disease. At the present moment, however, it has unfortunately recrudesced. In other instances, *e.g.*, the improvement of the prospects of ministerial officers, police reforms and new machinery for the S.S. *Guide*, expenditure has been postponed rather than avoided. On the other hand, we have been faced with large increases in our expenditure on law charges owing to the prosecution of political cases, and this is in continuation of an abnormal expenditure due to the same cause in the previous year; the cost of the Jail Department has grown perceptibly and is likely to continue to do so; and from the Public Works Department came heavy demands which it was impossible to reject. In fact, from the point of view of the revenue heads to which we ordinarily look for expansion, the year has been most disappointing, while we have had to spend money freely in at least one direction, the necessity for which can only be viewed with extreme regret. Although, therefore, the closing balance under the revised estimates would in any case have been better than the Budget, the results of the year do not give particular cause for congratulation.

4. The Government of India has, however, been able to make to the province a special assignment of Rs. 30,42,000, and thanks to this, a closing balance of Rs. 37,37,000 is now anticipated in the revised estimate for 1909-10. For this liberal measure of aid we are greatly indebted to the Imperial Government.

5. The Budget figures for 1910-11, as provisionally approved by the Government of India, compare as follows with the revised estimates of the current year, and are framed so that the year may close with the prescribed minimum balance of Rs. 20,00,000.

YEAR.	Opening balance.	Receipts.	Charges.
	Rs.	Rs.	Rs.
1909-10 (Revised) ...	58,43,000*	5,77,43,000	5,48,49,000
1910-11 (Budget) ...	87,37,000*	5,58,09,000	5,75,46,000

* Includes Rs. 50,00,000 on account of the Calcutta Improvement Scheme.

Everything at present points to a prosperous year of plentiful crops, but in calculating the expansion which may be hoped for under the important heads of Stamps and Excise, greater caution has been exhibited than in the previous year. Under the head of "Special assignments from Imperial revenues", it is to be noted that the Government of India has renewed the grant of Rs. 1,60,000 for distribution to the Calcutta University and private colleges, and this, according to previous practice, has been divided between the University and the grants-in-aid allotment in the proportions of half and half. Further, we have received the final assignment of Rs. 3,17,000 which is the balance of the provincial share of the grant in-aid towards carrying out the reforms adopted on the recommendation of the Police Commission.

Strictly speaking, this should have been devoted wholly to the purpose of such reforms, but in the peculiar circumstances of the ensuing year some portion has been diverted to other services. The Police Department, however, will have a claim in future years to be reimbursed the sums now withheld from them.

6. On the expenditure side a very satisfactory feature is the reduced provision of only 3¾ lakhs approximately for grain compensation allowance, which has been rendered possible owing to the fall in prices. In the Budget for 1909-10, 9½ lakhs roughly appeared on this account. Otherwise the important new items of expenditure may perhaps be classed according as (*a*) they are calculated to improve the administrative machinery; (*b*) are intended to improve the prospects of Government servants (these two classes, of course, overlap); or (*c*) add to the services which are most appreciated by the public, *i.e.*, Education, Medical and Public Works.

7. In the first category special mention may be made of the provisions for the new Executive Council; for additions to the *cadre* of the Indian Civil Service and to that of the Provincial Service on account of the requirements of the Settlement Department; for the revision of the establishment of the Insolvency Court and for a new District and Sessions Judge at Sambalpur; and for strengthening the Police, Jail and Excise Departments in various directions, the outlay in connection with the new Presidency Jail being particularly noticeable. In the second class effect has been given to a long-hoped-for reform by the provision made for the improvement of the prospects of ministerial officers, which, under various departments, accounts for no less an outlay than Rs. 5,08,000; an important reorganization of the Bengal Secretariat has recently been approved; expenditure on the services of Civil Assistant Surgeons and Civil Medical Assistants, which has long been asked for, has been allotted (although the former scheme is still under discussion); and a beginning will be made with a scheme of reorganization calculated to encourage the class of Veterinary Assistants.

8. Under "Education" the most important item of recurring expenditure is under the scheme for strengthening the staff of Government colleges with which further progress is being made, while the appointment of an Inspector of Technical Schools and Industries marks a departure of importance. In the matter of buildings the construction of *guru*-training schools continues to involve a heavy outlay, and a similar expenditure on behalf of Muhammadan education is to be devoted to the building of seven model *makhtabs;* large schemes are initiated in the commencement of a physical laboratory at the Presidency College and of a hostel at the Calcutta Madrasa; and improvements are to be carried out in the district schools at Ranchi, Purulia and Darjeeling.

9. In the Medical Department, the Medical College, Calcutta, claims the larger portion of the expenditure. The new Surgical Block will be completed, equipped and provided with nurses, for whom quarters also must be built, while the arrangements for the supervising nursing staff, consequent upon the withdrawal of the Clewer Sisters from the institution, have also necessitated the erection of more quarters. Finally, the construction of the fourth block is to be continued, and the Biological and Chemical Laboratories improved. Otherwise, it is proposed to build a ward for insane lepers at the Gobra Leper Asylum and to improve the frontage of the Temple Medical School at Bankipore, while the residence of the Civil Surgeon of Darbhanga is to be improved.

10. In the Public Works Budget (Roads and Buildings) for 1909-10 it was not found possible to make provision for any original works, and all that could be done was to continue the projects already in hand. Among the latter the new Presidency Jail, the extension of the Khulna Jail, the conversion of the Duff College, Calcutta, into a police-station, and the Agricultural College at Sabaur still remain unfinished and make heavy calls upon us. Apart from the works in the Education and Medical Departments to which reference has been made above, the most important new schemes to be initiated this year are a new Central Jail at Monghyr, the Press Block at the new Presidency Jail, the reconstruction of the Garden Reach thana, Calcutta, and improvements to the Civil Court buildings at Khulna, Cuttack and Purnea. Other smaller

projects are also to be undertaken in different departments, most of which have already waited some time for the allotment of funds, and of all of which the urgency is great.

11. The energies of the Irrigation Department will mainly be directed towards progress with the Madaripur Bhil Scheme, and the commencement of a lock at Utterbagh in connection with the Magrahât drainage project. Otherwise, the repair of flood damages to embankments and the maintenance of different canals absorb a considerable allotment.

12. Substantial additions are proposed to the "Minor Works" grants at the disposal of different heads of departments, including Commissioners of Divisions, which have been raised in the aggregate from Rs. 2,27,000 in the Budget for 1909-10 to Rs. 3,38,200 in the current Budget. There has been much complaint of the previous inadequacy of these grants. The limit of cost of individual works which are within the powers of sanction of heads of departments was raised in 1908 from Rs. 2,500 to Rs. 5,000, but failing a proportionate addition to the funds at their disposal, the change was prejudicial rather than otherwise, since works between Rs. 2,500 and Rs. 5,000 might, under the previous orders, have been provided for in the Public Works Department. This defect will now be remedied to some extent. Similarly, it is proposed to raise the allotment at His Honour's disposal for petty grants from Rs. 50,000 to Rs. 1,00,000, and that to Commissioners of Divisions for grants-in-aid to minor local improvements from Rs. 75,000 to Rs. 1,00,000. Both grants have a similar object in view, namely, the prompt disposal by the Head of the province and superior officers of local applications for assistance, the need of which can best be gauged on the spot.

13. Among miscellaneous items attention may be drawn to the provision of Rs. 2,00,000 for the purchase of cinchona bark, in supplement of the outturn of our own plantations; the construction of a new launch for the Police Department, and the provision for new boilers for the S.S. *Guide*, which, under the stress of the current year, was cut out from the Budget for 1909-10.

14. It will be understood that the figures and remarks in the present draft statement are liable to alteration in the light of any later information which may be available prior to the submission of the Budget.

H. WHEELER,

Financial Secretary.

DATED CALCUTTA,
The 5th March 1910.

EVISED FINANCIAL STATEMENT OF THE GOVERNMENT OF BENGAL FOR 1910-11.

Part I.—General Review.

(1) ACCOUNTS FOR 1908-09.

In the revised estimate for 1908-09, which was laid before the Council on e 28th March 1909, the receipts of the year were taken at Rs. 5,58,55,000, d the charges at Rs. 5,71,06,000. The accounts of 1908-09, as finally closed, ow that the actual receipts amounted to Rs. 5,59,03,000 and the charges Rs. 5,72,33,377, while the closing balance was Rs. 58,43,442 against . 58,77,000 anticipated when the last Financial Statement was presented.

(2) REVISED ESTIMATE, 1909-10.

2. The revised estimate for 1909-10, as now passed on the basis of the tuals of the first nine, and in some cases ten, months of the current year compared below with the sanctioned estimate for the year :—

	Sanctioned estimate.	Revised estimate.	Increase (+) or decrease (—).
	Rs.	Rs.	Rs.
Opening Balance ...	58,77,000	58,43,000	—34,000
Revenue receipts ...	5,27,62,000	5,12,43,000	—15,19,000
Adjustments	32,73,000	65,00,000	+32,27,000
Total Receipts ...	5,60,35,000	5,77,43,000	+17,08,000
Grand Total ...	6,19,12,000	6,35,86,000	+16,74,000
Total Expenditure ...	5,69,12,000	5,48,49,000	—20,63,000
Closing Balance ...	50,00,000	87,37,000	+37,37,000

3. The increase under adjustments is due to the additional assignments om Imperial to Provincial detailed below :—

	Rs.
Grant to the Calcutta University, and for distribution to private Colleges	1,60,000
Grant for Archæological expenditure	5,000
Grant in connection with Captain McCay's deputation to conduct an enquiry into the subject of Jail dietaries ...	13,000
Contribution by the Government of Eastern Bengal and Assam of a moiety of the cost of conducting the Overseer and Sub-Overseer examinations	4,000
Refund of the cost of training in agriculture of Babu Jatindra Nath Chakrabarti, who was deputed to America at the expense of the Government of Bengal, but whose services were subsequently transferred to Eastern Bengal and Assam	8,000
Cost of printing and publishing text-books for the High Proficiency and Degree of Honour examinations in the Tibetan language	2,000
For Capital expenditure on the Madaripur Bhil Route ...	2,000
Special contribution to general provincial revenues ...	30,42,000
	32,36,000
Deduct—	
For retransfer to the Military Department of the management of the gardens at Government House, Calcutta	—8,000
For excess of receipts over charges of the office of the Agent for Government Consignments which has been provincialised (raised from Rs. 15,000 to Rs. 16,000)	—1,000
Total ...	32,27,000

4. The falling off of revenue is the net result of decreases under some heads and increases under others. The improvements aggregate Rs. 9,88,000, and are chiefly under the following heads:—

Land Revenue—(Rs. 3,36,000) due to the increased collection of arrears and larger receipts from the redemption of land revenue and the sale of Government estates.

Provincial Rates—(Rs. 2,19,000) due to the increased collection of arrears and larger collection of cess on coal-mines.

Courts of Law—(Rs. 12,000) under fees and fines.

Police—(Rs. 44,000) due to larger recoveries on account of punitive police.

Ports and Pilotage—(Rs. 19,000) mainly under Pilotage receipts.

Miscellaneous—(Rs. 77,000) on account of the sale-proceeds of the steam-trawler *Golden Crown* and a part of the sale-proceeds of the Jorabagan thana building.

Irrigation Major Works—(Rs. 2,72,000) chiefly owing to larger receipts from water-rates.

The decreases, on the other hand, aggregate Rs. 25,07,000, falling chiefly under the following heads:—

Stamps—(Rs. 4,50,000) chiefly under court-fee stamps and partly also under general stamps; attributed to stagnation in trade.

Excise—(Rs. 5,75,000). The settlements of shops were very unfavourable, probably owing to the continuance of high prices, and the extension of the contract distillery system in Bihar has so far reduced the revenue.

Assessed Taxes—(Rs. 1,25,000) owing to depression in trade.

Forests—(Rs. 1,50,000) owing to depression in the timber trade.

Registration—(Rs. 1,70,000) owing chiefly to a decrease in the number of registrations effected.

Interest—(Rs 3,78,000) chiefly under loans to cultivators and partly also under loans to land-holders.

Jails—(Rs. 3,55,000) owing to the decrease in the receipts from jail manufactures on account of smaller demands from the Ordnance Department.

Education—(Rs. 1,78,000) owing to no refunds having been received from District Boards out of the grants made to them for primary school buildings, whereas two lakhs were anticipated from this source at the time the budget was framed.

Scientific and other Minor Departments—(Rs. 48,000) owing to smaller receipts from the sale of quinine.

Irrigation—Minor Works and Navigation—(Rs. 49,000) due to a falling off under navigation receipts owing to the cyclone in October 1909, and to slackness in the jute traffic.

5. On the expenditure side the revised estimate shows a total decrease of Rs. 30,15,000, which is mainly accounted for under the following heads:—

Land Revenue—(Rs. 2,90,000) partly under salaries of officers, partly under net charges of Partition establishments, and partly on account of the delay in giving effect to the recommendations of the Ministerial Officers' Salaries Committee. A lump grant of Rs. 50,000 for Additional Deputy Magistrates and Deputy Collectors was also not utilised, and there were savings under survey and settlement and land records.

Interest—(Rs. 71,000) due to the smaller outstanding balances under the Provincial Loans Accounts.

Police—(Rs. 3,72,000) mainly on account of savings in the grants for grain and conveyance allowances, to savings under constables' pay due to vacancies in the force, to the non-entertainment of additional railway police, and to savings under the head of Contingencies.

Ports and Pilotage—(Rs. 96,000) chiefly owing to the postponement of expenditure on the purchase of new boilers for the S.S. *Guide*, and to anticipated savings under Pilotage and Pilot establishments.

Medical—(Rs 1,81,000) due chiefly to savings under District Medical establishments, and smaller grants for plague preventive measures.

Scientific and other Minor Departments—(Rs. 2,16,000) chiefly under the Agricultural Department, and partly also under Veterinary charges, Botanic and other public gardens, Inspector of Factories, and Gazetteer revision.

Miscellaneous—(Rs. 1,44,000) savings in the grant for donations for charitable purposes, petty establishments, Fishery enquiries, the lump provision for grants to District Funds and other miscellaneous charges.

Famine Relief—(Rs. 6,66,000) owing to the necessity for relief measures having been less than was anticipated.

Civil Works in charge of Civil Officers—(Rs. 8,00,000) on account of transfers to other heads.

On the other hand, there was a total increase in expenditure of Rs. 9,52,000, the largest items of which are noted below:—

Courts of Law—(Rs. 3,84,000) specially under Law charges in connection with political cases.

Jails—(Rs. 1,00,000) due to the opening of the new Presidency Jail, and an increase in dietary charges owing to an increase in the number of prisoners.

Civil Works in charge of the Public Works Department—(Rs. 3,90,000) owing to additional grants sanctioned during the year to meet urgent requirements.

6. The net result of these changes is that the closing balance of 1909-10, including the sum of 50 lakhs held in trust for the Calcutta Improvement Scheme, which was estimated in March last at Rs. 50,00,000, is now placed at Rs. 87,37,000. The increase is chiefly due to the special subvention of Rs. 30,42,000 given by the Government of India, partly to restore the normal scale of expenditure on Civil Works, and partly to raise the closing balance to the prescribed minimum of 20 lakhs in 1910-11.

(3) BUDGET ESTIMATE, 1910-11.

7. The opening balance of 1910-11 is the closing balance of 1909-10, and is therefore Rs. 87,37,000.

8. The estimates for the year, as approved by the Government of India, show receipts aggregating Rs. 5,58,09,000, an expenditure of Rs. 5,75,46,000, and a closing balance of Rs. 70,00,000. The special grant of 50 lakhs for the Calcutta Improvement Scheme, which is held in trust by Government, is included in the Provincial accounts. It is estimated therefore that, leaving aside this amount, the balance at the close of 1910-11 will be 20 lakhs, which is the prescribed minimum.

9. The estimate of receipts includes the following special assignments from Imperial Revenues:—

	Rs.	Rs.
For Police re-organization (comprising grants made in previous years aggregating Rs. 14,50,000 and an additional grant of Rs. 3,17,000 with effect from 1910-11)		17,67,000
On account of the Madaripur Bhil Route (maintenance) ...		50,000
Ditto Ditto (capital) ...		1,53,000
In connexion with the scheme of Famine Relief ...		2,60,000
For technical education		35,000
„ European and Eurasian education		65,000
„ abolition of the patwari cess in Sambalpur		26,000
„ continuous maintenance of record-of-rights in Orissa ...		1,18,000
„ temporary occupation of 2, Bankshall Street, by the Commerce and Industry Department		20,000
„ contribution from Eastern Bengal and Assam to the Belgachia Veterinary College		28,000
„ provincialization of the Dhaka Canal charges ...		12,000
„ net charges of Inland Labour Transport in Bengal payable from the provincial revenues of Eastern Bengal and Assam		13,000
„ increased remuneration to the Solicitor to Government ...		36,000
„ stoppage of the free supply of materials by the Central Press, Calcutta to the provincial Presses		2,000
„ transfer of the control of Hastings House gardens to the Superintendent, Royal Botanic Garden		3,000
„ remission of banking fees levied from Local Funds ...		70,000
„ Ditto audit fees ditto		65,000
„ expenditure on cemeteries		4,000
„ transfer of a portion of the cost of the Calcutta Collectorate from Excise, the charges under which are divided equally between Imperial and Provincial, to Land Revenue, the charges under which are wholly Provincial		4,000
„ audit of the Calcutta municipal accounts		11,000
„ grant to the "Bibliotheca Indica Fund" of the Asiatic Society		3,000
„ relieving municipalities of Police charges		21,000
„ Sanitary improvements		4,50,000
„ Grant to Calcutta University and for distribution to private colleges		1,60,000
		33,76,000
Less contribution to Imperial for the pensions of Calcutta Police constables paid in the United Provinces of Agra and Oudh	21,000	
Reduction of interest on capital outlay on Irrigation—Major Works	3,45,000	
Contribution to Imperial for net receipts from the office of the Agent, Government Consignments, Calcutta, provincialized with effect from the 1st April 1909 ...	16,000	
„ Recovery of contribution from Provincial, in connection with the new scheme of taxation, under Stamps and Excise	3,69,000	
		7,51,000

	Rs.
Net total (which does not include the fixed adjustment grant of Rs. 7,39,000 made under the current Provincial Settlement, including which the total comes to Rs. 33,64,000, as shown in the budget under the head "I—Land Revenue—Adjustments.")	26,25,000

10. On the expenditure side, the total estimated charges for 1910-11 are Rs. 5,75,46,000, which is in excess of the income by Rs. 17,37,000.

11. A schedule is attached showing the new schemes costing individually more than Rs. 5,000 which have been included in the budget. The non-recurring charges on account of these schemes amount to Rs. 7,61,812, and the recurring charges to Rs. 15,90,736. Besides these, the budget includes the following new schemes of a more or less petty nature which are individually estimated to cost Rs. 5,000 or less:—

(*a*) NON-RECURRING CHARGES.

	Rs.	Rs.
Forests—		
Acquisition of land in and along the Satikhola landslips in Darjeeling for afforestation	4,000	
Construction of a rest-house near the Ghish river, in the Tista Division	2,500	
Completion of the Forest School building, Kurseong ...	5,000	
Part construction of a house for the Divisional Forest officer, Chaibassa	3,000	
Construction of a new Forest office, Sambalpur ...	4,200	
Purchase of a new steam-cutter for use in the Sunderbans	4,000	
Building quarters for clerks at Khulna	3,000	
		25,700
General Administration—		
Temporary establishment in the Bengali Translator's office for the translation of Acts and Bills for the Government of India		3,300
Courts of Law—		
Temporary establishment for sorting the judicial records of the High Court	3,500	
Purchase of an iron safe for the Judge's office, Burdwan	1,200	
		4,700
Jails—		
Purchase of arms for an increased number of warders		1,200
Police—		
Special allowances for the special Detective force ...	1,980	
Temporary boat establishment	3,000	
Cost of 100 revolvers for the District Police ...	5,000	
		9,980
Ports and Pilotage—		
Repairs to Leadsmen's quarters		2,000
Education—		
Temporary establishment in the office of the Director of Public Instruction	1,620	
Purchase of a dynamo and gas engine for the Hooghly College	790	
Grant for the Library of the Law College, Patna ...	5,000	
For supplying copies of the Teachers' Manual to Deputy, Sub-Deputy and Assistant Sub-Inspectors ...	1,500	
For the preparation of a Manual for *maktabs*, and the translation of text-books into the aboriginal vernaculars	2,000	
		10,910

	Rs.	Rs.
Political—		
Purchase of an elephant for the Political Agent, Orissa Feudatory States		2,500
Scientific and other Minor Departments—		
Revision of the Inland Emigration Manual		1,500
Civil Works in charge of Civil Officers—		
For the acquisition of land for the extension of Seal's Lane in the Howrah Municipality	4,000	
Purchase of a boat for the Chuadanga ferry ...	1,600	
		5,600
Total		67,390

(*b*) RECURRING CHARGES.

Land Revenue—		
Allowances to shorthand typists for seven District Magistrates and Collectors in addition to one provided in 1909-10	3,360	
Additional clerks for kanungos in the Sonthal Parganas	1,920	
Peons for Sub-Deputy Collectors	1,422	
		6,702
Assessed Taxes—		
Provision for raising the pay of Assessors' clerks		3,900
Forests—		
Reorganization of the office establishment of the Conservator	5,000	
Establishment for two flats and a new steam-cutter for the Sundarbans	3,000	
		8,000
Registration—		
Appointment of two additional Sub-Registrars ...	3,000	
Revision of the establishment of the office of the Inspector-General of Registration...	3,000	
Extra and Probationary Sub-Registrars	840	
		6,840
General Administration—		
Increase in the Customs Audit establishment ...	2,004	
Personal allowance of the Uriya Translator ...	600	
		2,604
Courts of Law—		
House allowance to the clerk of the Chief Justice ...	1,505	
Personal allowance of the Deputy Registrar, Appellate Side	1,800	
Increase of pay of the Legal Remembrancer's establishment	1,680	
House allowances to the Officiating Chief Presidency Magistrate and the 2nd Presidency Magistrate ...	1,830	
Increase of pay of the head orderlies of District Judges	600	
Pay of an additional record-keeper, and increments of pay of certain Assistants, in the Calcutta Small Causes Court	800	
Additional chaukidari clerks in the districts of Nadia, Jessore, Midnapore, Purnea and Gaya	6,000	
		14,215
Jails—		
Revision of the establishment of the Inspector-General's office	2,000	
Clerical establishments in Central Jails	2,880	
Additional warders in the Juvenile Jail	2,136	
Revision of Factory establishments	4,514	
		11,530
Police—		
Regrading of Calcutta Police Inspectors	1,800	
Increase of the pa of European Sergeants and Constables	4,780	
Rewards to chaukidars in Sambalpur	5,000	
		11,580

	Rs.	Rs.
Ports and Pilotage—		
House allowances of the Shipping Master, Calcutta, and the Shipping Master, Kidderpore	2,460	
House allowance of the Surveyor and Assistant Surveyor	4,305	
Conveyance allowance of the Inspectors and Sub-Inspectors subordinate to the Agent for Government Consignments	960	
		7,725
Education—		
House allowance of an Inspecting Officer, Calcutta ...	1,500	
Charges to be incurred by Inspectors for printing work done at private presses	3,300	
Personal allowance to the Inspectress of Schools, Presidency, Burdwan and Orissa Divisions ...	1,200	
Clerks for the Additional Inspectors of Schools ...	3,600	
Two Professors of the Presidency College ...	3,600	
Personal allowance of the Foreman Instructor, Civil Engineering College	1,380	
Scholarships in connection with the Title course in the Calcutta Madrasa, etc.	2,160	
Increase of scholarships for Cuttack B. L. students ...	2,160	
Allowance to the Secretary to the Advisory Committee for Indian Students	2,400	
		21,300
Medical—		
Provision for the revision of the Inspector-General's office establishment	2,000	
House-rent allowance of Medical Assistants ...	4,000	
One Assistant House Surgeon, Medical College ...	600	
Ditto for Electrical Annexe	600	
Dispenser, compounder and servants for the Chuni Lall Seal's Dispensary	1,092	
Medical stores for the Chuni Lall Seal's Dispensary ...	3,000	
Contingencies ditto ditto ...	3,729	
Personal allowance of the Assistant Superintendent, General Hospital	1,200	
Inspector of Septic Tank Installations	4,800	
Additional Vaccine Inspector and Sub-Inspector ...	1,260	
		22,281
Scientific and other Minor Departments—		
Accountant, chauffeur, etc., for the Superintendent, Civil Veterinary Department	1,452	
Riding-master, Curator and other additional establishment under Veterinary Instructors	2,196	
Allowance to Veterinary Assistants for *post*-graduate training	910	
Additional Veterinary Inspectors	1,080	
Professor and Assistant Professor for the Agricultural College	4,800	
Hostel for the Agricultural College	4,640	
Increase of pay of the Assistant Quinologist and of the Personal Assistant to the Superintendent of the Cinchona Factory	1,680	
		16,758
Stationery and Printing—		
Increase in the Reading staff of the Secretariat Press		4,000
Total ...		1,37,435

PART II.—Detailed remarks on the Budget for 1910-11.

RECEIPTS.

12. *Land Revenue.*—The total collections under this head in 1908-09 amounted to Rs. 2,92,73,443 and the estimate for 1910-11, as provisionally passed by the Government of India, is Rs. 3,02,92,000, against Rs. 3,03,00,000, the revised estimate for 1909-10. The estimate includes Rs. 11,55,000 for

recoveries of Survey and Settlement charges, against Rs. 7,97,000 provided for in the revised estimate for 1909-10.

18. The estimated Provincial share of Land Revenue is calculated as follows :—

	Estimate, 1910-11.
	Rs.
Gross Land Revenue	3,02,92,000
Deduct estimated collections from Government Estates (wholly Provincial)	34,67,000
Deduct recoveries of Survey and Settlement charges (wholly Imperial)	11,55,000
Total Deductions ...	46,22,000
Net amount divisible between Imperial and Provincial funds	2,56,70,000
Provincial share (one-half)	1,28,35,000
Add collections from Government Estates (wholly Provincial)	34,67,000
Total Provincial ...	1,63,02,000
Add adjustments as in Appendix A	33,64,000
Total Provincial Receipts ...	1,96,66,000

14. *Stamps.*—The budget estimate of the total revenue from Stamps for 1909-10 was passed by the Government of India at Rs. 1,65,00,000. The actuals in 1908-09 amounted to Rs. 1,55,99,838. The actuals of the first ten months of 1909-10, exclusive of receipts on account of unified stamps used as receipt stamps, show a small decrease of Rs. 2,000 as compared with the figures for the corresponding period of the preceding year. In view of the actuals for 1908-09, the revised estimate for 1909-10 has been reduced from Rs. 1,65,00,000 to Rs. 1,56,00,000. The estimate for 1910-11, which has been placed at Rs. 1,67,86,000, allows for a progressive increase of five lakhs, and includes Rs. 6,86,000 being the expected proceeds of the new scheme of taxation sanctioned by the Government of India by the enhancement of the present duties levied on debentures, share warrants to bearer, transfers of shares and debentures, agreements or memoranda of agreements relating to the sale of shares and securities, bills of exchange and probate. The Provincial share is one-half, and thus amounts to Rs. 78,00,000 for 1909-10 and Rs. 83,93,000 for 1910-11.

15. *Excise.*—The revenue from Excise for 1909-10 was estimated at Rs. 1,79,00,000. The actuals of 1908-09 amounted to Rs. 1,70,01,004, while the figures for the first ten months of 1909-10 show a decrease of Rs. 2,61,000 as compared with the actuals of the corresponding period of the preceding year. The decrease in 1909-10 is due to the introduction of the contract distillery system in certain districts of Bihar and to the unfavourable result of the settlements of shops. The revised estimate for the year has therefore been passed for Rs. 1,67,50,000; and allowing for a progressive increase of two and half lakhs and for the expected proceeds from the new scheme of taxation, increasing the tariff rates on beer and spirits, amounting to Rs. 52,000, the estimate for 1910-11 has been placed at Rs. 1,70,52,000. The Provincial share (one-half) amounts to Rs. 83,75,000 and Rs. 85,26,000, respectively.

16. *Provincial Rates.*—The actual collections of Public Works Cess in 1908-09 amounted to Rs. 36,60,066, and the estimate for 1909-10 was Rs. 36,53,000. The receipts in the first nine months of 1909-10, however, show an increase of Rs. 1,91,000 over those of the corresponding period of the previous year. The annual valuation of existing mines and the first assessment of new mines which were opened in consequence of the development of the coal industry, together with the completion of valuation operations in the Sonthal Parganas, raised the total demand for Public Works Cess for 1908-09 by about Rs. 1,36,000, but the collections in that year were not in proportion to the demand. The arrears are being collected in 1909-10, and the revised estimate for the year has accordingly been placed at Rs. 38,70,000. A reduction in the annual profits of coal mines is anticipated, and there will be smaller arrears to be collected in the coming year; the estimate for 1910-11

has therefore been placed at Rs. 37,90,000. Under "General Rates for the management of Private Estates" the estimate is Rs. 1,85,000, against Rs. 1,63,000, the sanctioned estimate for 1909-10. The increase is due to the levy of higher rates to meet the cost of the Lady Legal Adviser to *parda nashin* ladies, and her establishment, etc. The total estimate for 1910-11 is therefore Rs. (37,90,000+1,85,000=) 39,75,000.

17. *Assessed Taxes.*—The budget estimate of receipts from Income-tax for 1909-10 was Rs. 58,00,000. The actual collections in the first ten months of the year amounted to Rs. 44,58,000. For the remaining two months of the year the receipts have been taken at Rs. 10,92,000, and the revised estimate has been placed at Rs. 55,50,000. The estimate for 1910-11 allows for an increase of Rs. 3,50,000, and stands at Rs. 59,00,000. The Provincial share (one-half) amounts to Rs. 29,50,000.

18. *Forests.*—The total receipts under this head for 1910-11 are estimated at Rs. 11,00,000, against Rs. 10,00,000 the revised estimate for 1909-10, and Rs. 11,84,846 the actuals of 1908-09. The Provincial share is one-half, and amounts to Rs. 5,50,000.

19. *Registration.*—The budget estimate under this head for 1909-10 was Rs. 15,50,000. The collections during the first ten months of 1909-10 show a decrease of Rs. 46,000 as compared with those of the corresponding period of the preceding year, and as the actuals of 1908-09 were Rs. 14,26,043, the revised estimate has been reduced to Rs. 13,80,000, while the estimate for 1910-11 has been passed for Rs. 14,87,000 after providing for a normal increase of Rs. 1,07,000 over the revised estimate for 1909-10. The decrease in 1909-10 is attributed to the smaller number of registrations effected. The receipts of this department are wholly Provincial.

20. *Interest.*—The estimate of loans, as submitted to the Government of India, provides for a return in the way of interest during 1910-11 of Rs. 8,53,000, as shown below:—

	Rs.
Interest on advances to cultivators, etc.	4,26,000
„ „ drainage and embankment advances	27,000
„ „ loans to land-holders	1,73,000
„ „ „ to Municipalities and District Boards, etc. ...	1,84,000
Miscellaneous	43,000
Total ...	8,53,000

21. *Law and Justice—Courts of Law.*—The actuals in 1908-09 amounted to Rs. 6,39,469, and the receipts in the first nine months of 1909-10 show a decrease of Rs. 30,000 as compared with those of the corresponding period of the previous year. In view of the actuals for 1908-09, the revised estimate for 1909-10 has been placed at Rs. 6,12,000, against Rs. 6,00,000 originally passed. The estimate for 1910-11 has been passed for Rs. 6,24,000.

22. *Jails.*—The actuals for the nine months ending the 31st December 1909 show a decrease of Rs. 25,000 as compared with the previous year, and a further decrease is anticipated. The actuals of 1908-09 were Rs. 9,21,281, and the revised estimate for 1909-10 has been reduced to Rs. 8,13,000. The estimate for 1910-11 has been passed for Rs. 9,64,000.

23. *Police.*—The actuals of the nine months ending the 31st December 1909 show an increase of Rs. 38,000 over those of the corresponding period of the previous year, and as the actuals of 1908-09 were Rs. 1,80,904, the revised estimate for 1909-10 has been placed at Rs. 1,89,000. The estimate for 1910-11 is Rs. 1,67,000, as smaller recoveries are anticipated on account of punitive police.

24. *Ports and Pilotage.*—The budget estimate for 1909-10 was Rs. 15,31,000. This has been raised to Rs. 15,50,000 in the revised estimate, with reference to the actuals of the first nine months of 1909-10. The estimate for 1910-11 is Rs. 15,48,000.

25. *Education.*—The actuals in 1908-09 amounted to Rs. 7,18,358 and included more than 1½ lakhs, being the refunds made by District Boards of the amounts placed at their disposal in the previous years for the construction of primary school buildings. As further refunds amounting to two lakhs were expected in 1909-10, the budget for the year was passed for Rs. 7,75,000. The actual collections of the first nine months, however, show that nothing

has been thus refunded by District Boards. The revised estimate has accordingly been reduced to Rs. 5,97,000, while the estimate for 1910-11 has been placed at Rs. 6,00,000.

26. *Medical.*—The budget estimate for 1909-10 was Rs. 2,90,000, against Rs. 2,81,855, the actuals of 1908-09. The actual receipts during the first nine months of 1909-10 do not show any marked improvement over those of the corresponding period of the previous year, and the revised estimate for 1909-10 has been placed at Rs. 2,84,000. The increase anticipated in 1909-10 under "Hospital receipts" has not been realized. The estimate for 1910-11 has been placed at Rs. 2,98,000, in view of the increased contributions promised by the Calcutta Corporation to the Campbell and Sambhu Nath Pandit Hospitals.

27. *Scientific and Other Minor Departments.*—The estimate for 1909-10 was Rs. 3,31,000, against Rs. 2,86,008, the actuals of 1908-09. The Superintendent, Cinchona Plantation, anticipated larger sales of sulphate of quinine in 1909-10, but the actual receipts in the first nine months of the year show a falling off of Rs. 23,000 as compared with those of the corresponding period of the previous year. The revised estimate for 1909-10 has therefore been placed at Rs. 2,83,000. As an increase is expected from the sale of quinine in 1910-11, and as the Director of Agriculture also anticipates an increase in the receipts from experimental farms, the estimate for that year has been passed for Rs. 3,87,000.

28. *Receipts in aid of Superannuation.*—The budget estimate for 1910-11 is Rs. 61,000, against Rs. 64,000, the revised estimate for 1909-10, and Rs. 59,540, the actuals of 1908-09.

29. *Stationery and Printing.*—The estimate under this head for 1910-11 is Rs. 1,34,000, against Rs. 1,25,000, the revised estimate for 1909-10, and Rs. 1,29,070, the actuals of 1908-09. The estimate includes increased provision for work done for local and private bodies and miscellaneous receipts.

30. *Miscellaneous.*—The receipts for 1909-10 were estimated at Rs. 5,83,000, against Rs. 6,34,688, the actuals of 1908-09. In the revised estimate this has been raised to Rs. 6,60,000, including Rs. 60,000, being part of the sale-proceeds of the Jorabagan thana, and Rs. 40,000, being the sale-proceeds of the steam-trawler *Golden Crown* belonging to the Fishery Department. For 1910-11 the estimate has been placed at Rs. 7,42,000, including the balance of the anticipated sale-proceeds of the Jorabagan thana, and Rs. 40,000, the sale-proceeds of the present Garden Reach thana buildings and land.

31. *Irrigation—Major Works (Direct Receipts).*—The budget estimate for 1909-10 is Rs. 24,36,000, which has been raised to Rs. 27,08,000 in the revised estimate, owing to an increase in the area irrigated. The estimate for 1910-11 has been passed for Rs. 25,92,000.

32. *Irrigation—Minor Works and Navigation in charge of the Public Works Department.*—The budget estimate for 1909-10 was Rs. 6,33,000; but in view of the collections in the first eight months of 1909-10, amounting to Rs. 3,49,000, as compared with Rs. 3,44,000 in the corresponding period of the previous year, the revised estimate has been reduced to Rs. 5,84,000, against Rs. 5,79,308, the actuals of 1908-09. The decrease is chiefly in navigation receipts from the Orissa and Calcutta canals, owing to the cyclone of October 1909, and also in the receipts from the Nadia rivers. The estimate for 1910-11 is Rs. 6,50,000, an increase being expected owing to the opening of the Ultadanga-Baman ghata Canal.

33. *Civil Works in charge of the Public Works Department.*—The budget estimate for 1909-10 was Rs. 3,55,000, against Rs. 3,48,202, the actuals of 1908-09. No improvement is now anticipated under this head in 1909-10, and the budget has been repeated in the revised estimate for 1909-10. The same amount has been taken as the estimate for 1910-11.

Expenditure.

34. *Refunds and Drawbacks.*—The total Provincial expenditure in 1910-11 is estimated at Rs. 1,35,000, against Rs. 1,34,000, the budget estimate for 1909-10, and Rs. 1,31,332, the actuals of 1908-09. The estimates under this

head are based, as usual, on the average actuals of the previous three years excluding special payments.

35. *Assignments and Compensation.*—The budget estimate for 1909-10 was Rs. 70,000, and this has been repeated as the estimate for 1910-11. The revised estimate has, however, been placed at Rs. 66,000 with reference to the actuals of the first nine months of 1909-10.

36. *Land Revenue.*—The total Provincial expenditure for 1910-11 is estimated at Rs. 39,86,000, against Rs. 37,10,000, the revised, and Rs. 40,00,000, the budget estimate, for 1909-10, as shown below :—

	1909-10.		1910-11.
	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.
(1) Charges of District Administration	30,00,000	27,40,000	29,77,000
(2) Charges on account of Land Revenue collections ...	4,000	2,000	4,000
(3) Management of Government estates	3,57,000	3,45,000	4,29,000
(4) Survey and Settlement	2,58,000	2,45,000	1,60,000
(5) Land Records and Agriculture	4,41,000	3,78,000	4,86,000
	40,60,000		40,56,000
Lump reduction ...	60,000		70,000
Total ...	40,00,000	37,10,000	39,86,000

Under (1) a lump provision of Rs. 34,400 has been made for an increase in the number of Deputy Magistrates and Deputy Collectors, in order to meet the demands of the Settlement Department. A lump provision of Rs. 33,600 has also been made for the appointment of eight new Joint-Magistrates by promotion of Assistant Magistrates. The budget also includes Rs. 1,50,000 for the improvement of the prospects of ministerial officers, in accordance with the recommendations of the Ministerial Officers' Salaries Committee to which effect will be given from the 23rd May 1909, the date upon which the orders of the Secretary of State sanctioning the proposals were received in India. Under (3) a special provision of Rs. 40,000 has been made, in order to take up certain works of improvement in Government estates which are urgently required, and which cannot be financed from the Improvement grant as ordinarily calculated. A separate provision of Rs. 17,000 has also been entered for the management of the Hiranpore Market in the Sonthal Parganas, the accounts of which have hitherto been kept out of the provincial account. Under (5) Rs. 2,93,000 have been provided for initial expenditure in bringing the survey and settlement records in Orissa up to date, Rs. 88,000 for the revision of the record-of-rights in Orissa, Rs. 19,627 for the reproduction of maps, and Rs. 36,000 for the maintenance of records in Sambalpur.

37. *Stamps.*—The sanctioned estimate for 1909-10 was Rs. 5,05,000, but in the revised estimate this has been reduced to Rs. 4,70,000, owing chiefly to the smaller supply of stamp paper from the Central stores, consequent on the decrease in the sale of stamps, and smaller payments of discount on the sale of stamps. The budget for 1910-11 is Rs. 5,04,000, and closely follows the grant for the current year.

38. *Excise.*—The total expenditure for 1910-11 is estimated at Rs. 8,83,000, against Rs. 8,30,000, the budget grant for 1909-10. The increase is due to a lump provision of Rs. 32,000 for temporary establishment in connection with the introduction of the contract distillery system in the districts of the Patna and Tirhut Divisions; to a larger provision for travelling allowances which is incidental to the employment of larger establishments; and to larger grants under "Petty construction and repairs" in order to meet the cost of erecting warehouses in the Patna and Tirhut Divisions. The budget also includes provision for the Bengal share of the pay of a joint distillery expert for Bengal and Eastern Bengal and Assam.

e Provincial share (one-half) of the total expenditure is Rs. 4,42,000.

39. *Provincial Rates.*—The estimate for 1910-11 is Rs. 64,000, against 50,000, the sanctioned estimate for 1909-10, and Rs. 41,439, the uals of 1908-09. The increase in the estimate is chiefly under "Collection rges," owing to a provision of Rs. 48,000 for the improvement of the spects of ministerial officers. One-third of this charge is debitable to ovincial revenues, and two-thirds to District Funds. A small additional ovision has also been made for the revaluation of certain *chakran* and *ntwali* lands in Birbhum and other districts.

40. *Assessed Taxes.*—The estimate for 1910-11 is Rs 1,63,000 against 1,61,000, the budget grant for 1909-10, and Rs. 1,60,003, the actuals of 08-09. The decrease is due to the omission of provision for the revision the establishment of the Calcutta Collectorate, which was entered in the dget for the current year. The Provincial share (one-half) of the total penditure is Rs. 82,000.

41. *Forests.*—The total expenditure for 1910-11 is estimated at 6,65,000, against Rs. 5,87,000, the budget estimate for 1909-10, and 5,83,981, the actuals of 1908-09. The increase is chiefly due to the lowing causes:—

	Rs.
Acquisition of land in and along the Satikhola landslip, in the Darjeeling Division	4,000
Payment to the Raja of Porahat, in the Singbhum Division, on account of profits of the Porahat Forest	20,000
Completion of Forest buildings in Kurseong	5,000
Part construction or purchase of a house for the Divisional Forest Officer, Chaibassa	3,000
Construction of a rest-house near the Ghish River, in the Tista Division	2,500
Construction of a new Forest office in the Sambalpur Division ...	4,200
Purchase of a new steam-cutter for the Sunderbans Division ...	4,000
Establishment for additional flats for the Sunderbans ...	2,000
Construction of quarters for clerks at Khulna	3,000
Reorganization of the clerical staff of the Conservator's office ...	5,000

42. *Registration.*—The estimate for 1910-11 is Rs. 8,13,000, against 8,24,000, the budget grant for 1909-10, and Rs 8,14,977, the actuals of 08-09. The budget for 1909-10 included a provision of Rs. 20,510 for the rease of the pay of ministerial officers. No definite proposals for the revision salaries have been received, and no provision has been made on this account the budget for 1910-11. On the other hand, provision has been made for a ger number of Sub-Registrars, and grants for temporary establishments and nt of offices for Sub-Registrars have been raised with reference to probable uirements.

43. *Interest on ordinary Debt.*—This is interest payable from the Provincial enues to the Imperial Government on the amount advanced by the latter the Provincial Government for loans to cultivators under the Agriculturists' ans and Land Improvements Loans Acts, for advances to Co-operative dit Socities, for advances on drainage and embankment schemes, for loans notabilities and to municipalities and other public Corporations (excluding sidency Corporations).

44. *General Administration.*—The estimate for 1910-11 has been passed Rs. 21,02,000, and includes the following provisions:—

	Rs.
Additional establishment required in connection with the expansion of the Legislative Council	12,000
Additional grant for travelling allowances of non-official Members of Council	4,000
Salaries, establishment and contingencies of the Members of the Executive Council	2,00,000
Re-organization of the Chief Secretary's office	14,703
Ditto ditto Judicial Secretary's office	9,105
Ditto ditto Financial Secretary's office	8,946
Temporary establishment in the record-room of the Secretariat for copying correspondence for the Secretary of State ...	6,144
Temporary establishment in ditto for arranging and destroying old records	16,176

	Rs.
Personal allowance of the Uriya Translator	600
Temporary establishment in the Bengali Translator's office for the translation of Acts and Bills for the Government of India	3,300
Increased grant for the revision of the Customs Audit establishment	2,004

On the other hand, savings are anticipated in the salaries of the Hon'ble Members of the Board of Revenue to the extent of Rs. 50,000.

45. *Law and Justice—Courts of Law.*—The total charges for 1909-10 were originally estimated at Rs. 79,20,000, but in the revised estimate this has been raised to Rs. 83,04,000 with reference to the actuals of the first nine months of the year. The increase is large, and is chiefly due to heavy unforeseen law charges consequent upon the outbreak of political crime. The estimate for 1910-11 is Rs. 82,43,000. It includes provision for (*a*) the revision of the establishment of the Insolvency Court, Rs. 24,820; (*b*) temporary establishment for an additional Judge of the High Court, Rs. 5,500; (*c*) the appointment of a Lady Legal Adviser to *parda-nashin* ladies, under the Court of Wards, Rs. 16,320; (*d*) the appointment of a new District Judge for Sambalpur and his establishment, etc., Rs. 52,000; (*e*) purchase of fire-extinguishing appliances for Civil Courts, Rs. 10,000; (*f*) improvement of prospects of ministerial officers in Civil and Criminal Courts, Rs. 2,00,000 for 1910-11 and Rs. 1,00,000 for the payment of arrears not drawn in 1909-10; (*g*) fees for the defence of paupers accused of murder, Rs. 5,000; and (*h*) temporary establishment for sorting the judicial records of the High Court, Rs. 3,500

46. *Jails.*—The estimate for 1909-10 was Rs. 27,00,000, against Rs. 27,70,423, the actuals of 1908-09. The actuals of the first nine months of 1909-10 show an increase of Rs. 27,000 as compared with the figures of previous year under "Jails proper," and the total revised estimate for the year has accordingly been raised to Rs. 28,00,000. The increase is chiefly due to the opening of the new Presidency Jail, for which an additional grant of Rs. 69,000 was required, and also to the incidental charges connected with the packing and distributing of pice-packets of quinine, the demand for which has greatly increased. The estimate for 1910-11 is Rs. 28,71,000, and includes provision (*a*) for the reorganization of the Jailor's Service sanctioned by the Government of India at a cost of Rs. 16,536; (*b*) for the appointment of clerks to assist Medical Officers in charge of subsidiary jails at a cost of Rs. 9,300; (*c*) for the appointment of circle reserve warders at a cost of Rs. 5,424; (*d*) for establishment and other charges in connection with the new Presidency Jail, which are estimated at Rs. 1,39,486; (*e*) for revision of the office establishment of the Inspector-General of Prisons, Rs. 2,000; (*f*) for the revision of factory establishments, Rs. 4,514; and (*g*) for the employment of two clerks in the Presidency Jail and six clerks in Central Jails, Rs. 3,840.

47. *Police.*—The following table compares the figures under this head:—

HEADS.	Actuals, 1908-09.	1909-10.		Estimate, 1910-11.
		Budget.	Revised.	
	Rs.	Rs.	Rs.	Rs.
(1) Presidency Police ...	12,26,772	12,33,000	12,84,000	13,22,000
(2) Municipal „ ...	7,410	.....	.....	.....
(3) Superintendence ...	3,08,908	2,28,000	2,45,000	2,26,000
(4) Criminal Investigation Department	1,73,604	1,92,000	2,53,000	3,19,000
(5) District Executive Force ...	59,56,768	63,34,000	58,71,000	62,22,000
(6) Village Police	45,073	47,000	43,000	45,000
(7) Special „	68,641	70,000	68,000	70,000
(8) Railway „	2,36,000	2,72,000	2,39,000	2,68,000
(9) Cattle-pounds	1,316	1,000	1,000	1,200
(10) Refunds	1,382	1,000	2,000	1,800
Total ...	80,26,874	83,78,000	80,06,000	84,75,000

In connection with the budget for 1910-11, the Government of India have made an assignment of Rs. 3,17,000, representing the balance of the provincial share of the special grants for the purpose of giving effect to the reforms recommended by the Police Commission, and from this sum the following expenditure is proposed during 1910-11 :—

	Rs.
District Police—	
Promotion of Deputy Superintendents—	
2 from Rs. 300 to Rs. 400 ... ... } 4 „ „ 250 „ „ 300 ... ... }	4,800
Recruitment of two armed inspectors for Jessore and Angul at Rs. 150 for nine months	2,700
Recruitment of 30 sub-inspectors to increase the *cadre* at Rs. 50 for nine months	13,500
Conveyance allowance of—	
2 inspectors at Rs. 15 ... } 30 sub-inspectors „ „ 15 ... } for nine months ...	4,320
Grant of an increment of a rupee to 9,850 constables for nine months	88,650
Provision for a new launch	58,500
Cost of quarters for 30 sub-inspectors at Rs. 1,100 ...	33,000
Contingencies	3,390
Presidency Police—	
Improvement of the beat system in Calcutta. (This system has already been partially introduced, and it is proposed to extend it)	34,640
Total ...	2,43,500

Provision has also been made in the budget for—

Reorganisation of the Criminal Investigation Department No. II	1,36,000
The appointment of two Additional Deputy Commissioners for Calcutta	21,000
Appointment of six Assistant Superintendents	21,600
House rent of sub-inspectors till quarters are provided for them	40,000
For the management of the Doranda Cantonment lands ...	6,000
For house rent of married European sergeants and constables of the Calcutta Police	10,000
Increased grant for petty construction and repairs under District Police	50,000
Total ...	2,84,600

48. *Ports and Pilotage.*—The budget estimate under this head for 1909-10 stood originally at Rs. 12,44,000, but in the revised estimate this has been reduced to Rs. 11,48,000 with reference to the actuals of the first nine months of the year. The decrease is chiefly due to the postponement of the purchase of new boilers for the S.S. *Guide*, and to smaller expenditure on pilots. The estimate for 1910-11 has been placed at Rs. 12,93,000, and includes a provision of Rs. 57,000 for the purchase of two boilers for the S.S. *Guide*, a larger allotment for the repairs of Pilot vessels, made on the advice of the Dockyard authorities, larger provision for pilotage allowances to Pilots in anticipation of increased shipping, provision for the house allowances of the Deputy Shipping Master, Calcutta, the Assistant Shipping Master, Kidderpore, and the Surveyor and Assistant Surveyors of steam vessels, Calcutta, and for repairs to leadsmen's quarters.

49. *Education.*—The following table shows the charges under this head since the year 1906-07 :—

[The figures are in thousands.]

HEADS.	ACCOUNTS.			1909-10.		1910-11.
	1906-07.	1907-08	1908-09.	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Direction	1,21	1,23	1,14	1,12	1,12	1,17
University	81	93	98	4	84	84
Inspection	4,65	6,27	7,70	7,18	7,78	8,33
Government Colleges, General ...	5,89	6,35	6,33	6,45	5,50	6,82
Ditto, Professional	2,78	3,36	3,90	4,13	4,05	3,84
Government Schools, General ...	5,93	6,01	12,25*	12,89*	12,70*	13,41*
Ditto, Special ...	3,97	5,47	8,93	10,01	8,66	9,62
Grants-in-aid	10,61	13,36	11,18	11,00	11,73	11,80
Scholarships	1,55	1,71	1,86	1,85	2,08	2,00
Miscellaneous	1,07	83	99	1,04	1,02	1,31
Refunds	4	3	3	3	2	3
				55,74		
Lump deduction for probable savings	.....	.....	.....	17	.....	.....
Total ...	38,51	45,55	55,29	55,57	55,50	59,17

* Includes contributions to District Funds to establish equilibrium, previously shown under the head (since abolished) "Contributions from Provincial to Local."

The budget for 1910-11 includes the following items of expenditure :—

	Rs.
Strengthening the staff of Professors of Arts Colleges (additional)	42,000
Inspector of Technical Schools and Industries	17,000
Regrading the sub-inspectors transferred from District Boards to the Provincial Service	17,880
Preparation and translation and editing of the Senior Teachers' Manual	15,800
Preparation and translation of science text-books ...	9,200
Printing charges to be incurred by Inspectors for work done in private presses	3,300

50. *Medical.*—The budget grant under this head for 1909-10 was Rs. 25,20,000. This has been reduced to Rs. 23,39,000 in the revised estimate, with reference to the actuals of the first nine months of 1909-10. The saving is chiefly under "Medical Establishment" and was due to the non-utilization of the provision for the improvement of the pay of Civil Medical Assistants, to changes in the *personnel*, and to savings under "Reserve Medical subordinates"; the grants for plague preventive measures were also smaller than in the preceding year, and the provision for the improvement of the Sanitary Department was not expended, since no scheme has, as yet, been sanctioned. The estimate for 1910-11 has been passed for Rs. 25,16,000. It includes Rs. 5,000 for anti-malarial measures, Rs. 41,000 for the improvement of the pay of Assistant Surgeons, Rs. 32,520 for the improvement of the pay of Civil Medical Assistants, Rs. 4,800 for an Inspector of Septic Tank Installations, Rs. 2,000 for an enquiry in connection with Beri-beri which is now in progress, Rs. 6,000 for a Professor of Anatomy in the Medical College, Rs. 18,000 for the establishment and Rs. 50,675 for equipment required for the new Surgical Block at the Medical College Hospital, and Rs. 7,821 on account of the inclusion for the first time of the charges of the Chuni Lall Seal's Outdoor Dispensary in the Provincial account. Rupees 12,000 have been provided for contributions towards the construction of dispensary buildings at Rajmahal and Asansol.

51. *Political.*—The estimate for 1910-11 is Rs. 55,000, against Rs. 56,000, the budget estimate for 1909-10, and Rs. 52,404, the actuals of 1908-09. The figures call for no special remarks.

52. *Scientific and other Minor Departments.*—The estimate for 1910-11 is Rs. 14,32,000, against Rs. 14,05,000, the budget grant for 1909-10. Provision has been made in the budget for the following charges:—

	Rs.
Larger grants to Veterinary Dispensaries	7,000
Fittings of the Agricultural College at Sabaur	25,000
For purchase of cinchona bark	2,00,000
For a new pumping engine and boiler for the Royal Botanic Garden, Calcutta	5,600

53. *Superannuation.*—The charges under this head tend to rise year after year, owing to the increase in the number of claims to pension. The estimate for 1910-11 is Rs. 28,11,000, against Rs. 27,20,000, the revised estimate for 1909-10, and Rs. 26,27,146 the actuals of 1908-09.

54. *Stationery and Printing.*—The estimate for 1910-11 is Rs. 14,16,000, against Rs. 13,30,000 the revised estimate for 1909-10, and Rs 13,35,983, the actuals of 1908-09. The following table compares the figures:—

Heads.	Actuals, 1908-09.	Revised estimate, 1909-10.	Budget estimate, 1910-11.
	Rs.	Rs.	Rs.
Stationery Office at the Presidency ...	57,771	51,000	59,000
Stationery purchased in this country ...	33,646	33,000	34,000
Government Presses	5,71,336	5,90,000	6,67,500
Printing at private Presses	931	1,000	1,000
Stationery supplied from Central Stores ...	6,71,520	6,54,000	6,54,000
Refunds	779	1,000	500
Total ...	13,35,983	13,30,000	14,16,000

The increased provision under "Government Presses" is on account of the printing of the Indian Law Reports, larger provision for overtime fees and the purchase of printing machines.

55. *Miscellaneous.*—The budget estimate under this head for 1909-10 was Rs. 5,27,000, but in the revised estimate this has been reduced to Rs. 3,83,000. The decrease is due to smaller provision for rewards for proficiency in Oriental languages, smaller expenditure under donations for charitable purposes and the Fisheries Commission, and to savings under the lump provision for contributions to District Funds and other miscellaneous charges. The Budget for 1910-11 is Rs. 4,98,000, and includes a special provision of Rs. 1,00,000 to be placed at the disposal of His Honour for petty grants, an item which was formerly shown under "Civil Works in charge of Civil Officers." The charges for the Fishery Department are not shown here, but under "Scientific and Minor Departments," as the Department has been placed under the supervision of the Director of Agriculture.

56. *Subsidised Companies, Land, etc.*—The charges under this head represent the cost of acquisition of land for the Bengal Provincial Railway from Magra to Tarkeswar. This railway belongs to a private Company, but Government meets the cost of land acquisition.

57. *Irrigation Minor Works (Working Expenses).*—The actual charges during 1908-09 were Rs. 13,97,147, and Rs. 13,44,000 were passed as the budget grant for 1909-10. The revised estimate is Rs. 13,81,000, and the estimate for 1910-11, Rs. 13,50,000.

58. *Irrigation Minor Works and Navigation in charge of the Public Works Department.*—The actual expenditure during 1908-09 was Rs. 20,32,056. The budget grant for 1909-10 was Rs. 21,31,000, but in the revised estimate this has been raised to Rs. 21,50,000, chiefly on account of the additional grant of one lakh for the acquisition of land in connection with the Ultadanga-Bamanghata

Canal, while a sum of Rs. 37,218 has been transferred to "42—Major Works." The estimate for 1910-11 has been placed at Rs. 22,72,000. It includes Rs. 43,000 for capital expenditure on the Orissa Canals, chiefly for the raising of the flood-bank of the Pattamundi Canal, and for the construction of permanent outlets and new distributaries in progress since the previous year; Rs. 24,200 for the completion of the new Ultadanga-Bamanghata Canal; Rs. 3,42,000 for the Madaripur Bhil scheme; Rs. 40,000 for training works in the River Ganges; Rs. 30,000 for the construction of a lock at Utterbagh in connection with the Magrahat Drainage Scheme, and Rs. 2,15,000 for flood damage repairs to embankments in Midnapore and elsewhere. The estimate also includes provision for special repairs and silt clearance on the Orissa Coast Canal, and special repairs to the Chitpur Lock.

59. *Civil Works.*—The estimate of expenditure for 1910-11 has been placed at Rs. 52,59,000, against Rs. 49,00,000, the revised estimate for 1909-10, and Rs. 62,93,800, the actuals of 1908-09. The following figures show the distribution of the allotment as compared with the two preceding years :—

	Actuals, 1908-09.	Revised estimate, 1909-10.	Estimate, 1910-11.
	Rs.	Rs.	Rs.
Original Works ...	35,86,814	21,80,000	24,94,835
Repairs ...	14,53,872	16,13,000	16,25,000
Establishment ...	10,63,424	10,65,000	10,87,165
Tools and Plant ...	82,898	42,000	52,000
Stock and Suspense ...	1,06,792	.....	...
Total ...	62,93,800	49,00,000	52,59,000

The statement below shows the actual expenditure during 1908-09, and the estimated expenditure during 1909-10, on the principal original works in progress during those two years, as also the estimated expenditure upon the new works or continuation of works in progress, the undertaking of which is in contemplation during 1910-11 :—

	1908-09. Rs.	1909-10. Rs.	1910-11. Rs.
Registration Department—			
Extension, record-room, Muzaffarpur	.....	.....	10,500
New office, Onda	.....	.....	3,950
Ditto, Indas	.....	.....	4,580
Judicial Department—			
Additional accommodation for Civil Courts, Jessore	10,000	45,000	6,600
Single Munsifi, Jajpur	1,834	7,000	14,500
New double-storied Judge's Court, Arrah	30,442	85,000	21,000
Extension of Civil Court, Khulna ...	.....	.....	65,000
Additions and alterations to the Judge's Court, Krishnagore ...	20,000	2,500	3,000
Construction of a treble Munsifi, Khustia	25,000	11,500	1,500
Civil Court buildings and record-room, Darbhanga	61,655	54,000	.....
New Civil Court buildings, Cuttack ...	.....	.....	52,617
New record-room for the District Judge, Purnea	.....	.....	17,866
Revenue Department—			
Deputy Commissioner's Court, Halursingha (Angul)	21,000	18,000	20,000
Deputy Commissioner's residence, Sambalpur	3,000	10,000	20,000
Subdivisional Office, Tamluk ...	.....	.....	25,595
Ditto Jajpur ...	.....	.....	6,790
Ditto Aurangabad ...	.....	.....	7,053

	1909-10. Rs.	1910-11. Rs.	1911-12 Rs.
Jails—			
New Presidency Jail	94,479	1,20,900	75,000
Extension of the Khulna Jail ...	37,908	40,000	54,000
Improvements to the sleeping wards in the Central Jail, Midnapore ...	42,468	24,000	.....
New Sub-Jail at Madhubani ...	5,000	21,000	3,000
Quarters for warders at the Juvenile Jail, Alipur	.....	... ..	10,400
Construction of a Subsidiary Jail, Banki	.....	.....	7,642
Improvements to the Sub-Jail, Banka	.....	.....	8,500
New Central Jail at Monghyr ...	.....	.....	2,00,000
Jail Hospital, Krishnagore ...	.....	.....	16,000
Buxar Jail, water-works ...	.....	.....	7,042
Re-roofing wards, Hooghly Jail ...	.....	.....	9,000
Extension of *hajut*, Bhagalpur ...	.....	.....	7,345
Improvements to the Magura Sub-Jail	.....	.....	6,000
Calcutta Police—			
Purchase of the Duff College for a police-station, and additions to it	2,00,214	45,000	69,800
Garden Reach Thana	.....	.....	68,200
Barrack for the Government House and Imperial Secretariat Police Guards	.....	.....	40,100
Mufassal Police—			
Police Barrack, Chandernagore ...	.....	.....	18,850
Bamangachi-Howrah Police outpost	.....	.....	11,300
Sudder Police Barrack, Khulna ...	.....	.....	6,174
Hooghly-Sahebganj Police outpost	.....	.....	14,500
Malipanchagram police outpost in Howrah town	.....	.....	16,000
Education Department—			
Land acquisition for, and the construction of, a physical laboratory at the Presidency College ...	2,39,943	79,573	1,50,000
Ranchi Zilla School	.....	.....	20,800
New Zilla School building, Chaibassa	20,000	26,000	5,000
Elliott Madrasa Hostel	.....	55,000	50,000
Sanitary improvements in the Reformatory School, Hazaribagh ...	.....	.....	10,000
Purulia High School	.....	.....	15,400
Construction of new hall and class rooms at the Darjeeling Zilla School	.....	.....	23,900
Construction of seven model *maktabs*	.....	.....	4,200
Medical Department—			
New Surgical Block at the Medical College Hospital	2,87,568	2,32,670	8,000
Isolation Block at the Medical College Hospital			
Biological Laboratory, Medical College	.....	.....	30,000
Quarters for the Lady Superintendent at the Medical College	.....	.....	20,000
Fourth Block, Medical College ...	.....	.....	1,60,600
Wards for insane lepers, Albert Victor Asylum, Gobra ...	.....	.....	10,300
Nurses' quarters, Medical College ...	.....	.....	11,000
Water-supply, Chemical Laboratory, Medical College	.....	.....	5,916
Quarters for Civil Surgeon, Darbhanga	.....	.....	6,136
Improvement of the frontage of the Temple Medical School ...	.....	.....	8,000

	1908-09. Rs.	1909-10. Rs.	1910-11. Rs.
Miscellaneous—			
Press Block in the new Presidency Jail	.....	.....	2,50,000
Agricultural College, and quarters for Principal and Professors, Sabaur ...	1,11,072	2,49,000	46,200
Construction of bungalow at Mansong Cinchona Plantation	.....	.....	13,000
New Guest-house at Government House, Darjeeling	.....	19,000	2,700
Public Works Department—			
Quarters for Executive Engineer, Ranchi	.....	.....	21,000
Communications—			
New High Level Tista Valley Road, Section I	63,435	4,900	.....
New High Level Tista Valley Road, Section II			
Metalling 13½ miles of the Calcutta-Jessore Road	14,203	7,820	9,200
Constructing the Cuttack-Sambalpur Road	49,019	10,500	25,000
Ditto Sambalpur-Sonpore Road	23,226	5,193	.....

60. *Civil Works in charge of the Civil Department.*—The estimate for 1910-11 is Rs. 19,26,000, and includes a provision of Rs. 11,24,000 for grants to District Funds and District Road Funds, of which the sum of Rs. 60,000 is for feeder roads and Rs. 8,90,000 for grants to District Boards for augmenting their resources. Rupees 7,63,000 have also been provided for grants to Municipalities and other excluded Local Funds, of which the principal items are—

	Revised estimate, 1909-10. Rs.	Budget, 1910-11. Rs.
Grant-in-aid to the Calcutta Municipality towards the cost of the drainage of the Fringe Area	50,000	50,000
Re-alignment of drains in the neighbourhood of the new Presidency Jail	20,000	1,07,900
For the widening of Seal's Lane in the Howrah Municipality	9,986	4,000
Grants placed at the disposal of Divisional Commissioners for petty local works of improvement	75,000	1,00,000
Lump provision for grants for works of sanitary improvements, etc.	4,50,000	4,50,000

The lump grant of Rs. 4,50,000 provided in the revised estimates, 1909-10, for sanitary improvements has been expended as follows:—

	Rs.
Howrah Municipality for draining the Baniaputty Jheel ...	3,500
Titagarh ditto drainage	20,000
Dredging of the Bhagirathi	20,000
Azimganj Municipality for drainage	1,500
Drainage of the Bistupur Khal	5,000
Arrah Municipality for drainage	25,000
Daltonganj ditto ditto	16,000
Burdwan ditto ditto	50,000
Bhatpara ditto ditto	5,000
Bhagjolla drainage	1,060
Sahebganj Municipality for drainage	1,300
Bankura ditto ditto	10,000
Hazaribagh ditto ditto	10,000
Berhampur ditto ditto	16,000
Darjeeling ditto ditto	50,000
Monghyr ditto drainage	1,00,000
Naihati ditto water-supply	4,000
Balasore District Board for the excavation of tanks ...	1,000
South Suburban Municipality for the improvement of the water-supply	12,000
Kurseong Municipality for water-supply	14,500
Gaya Municipality for water-works	25,000
Jessore Municipality for water-supply	44,000
Berhampur Municipality for the improvement of the water-supply	15,000

BENGAL PROVINCIAL REVENUE.

Receipts.	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Sanctioned estimate.	Revised estimate.	Budget estimate.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Opening balance ...	1,12,61,898	93,84,443	71,73,813	58,77,000	58,43,000	87,37,000
eads of Revenue—						
and { Proper ...	1,62,06,515	1,57,44,049	1,62,79,503	1,62,34,000	1,66,70,000	1,63,03,000
Revenue. { Adjustment ...	12,14,548	21,01,634	48,96,393	32,75,000	66,0 ,000	33,64,000
amps	78,53,349	77,94,138	77,99,919	82,50,000	78,0 0,000	83,93,000
cise	80,40,696	85,38,849	85,00,502	89,50,000	83,75,000	85,26,000
ovincial Rates	36,18,246	37,78,438	38,10,886	38,16,000	40,36,000	39,75,000
sessed Taxes	24,38,631	25,98,514	28,21,482	29,00,000	27,75,000	29,50,000
rests	5,92,929	5,98,825	5,92,423	6,50,000	5,00,000	5,50,000
gistration	12,25,432	13,46,556	14,26,043	15,50,000	13,80,000	14,87,000
Total ...	4,06,25,346	4,25,01,003	4,61,27,151	4,56,23,000	4,79,36,000	4,55,47,000
terest	2,62,036	3,49,990	5,21,993	10,90,000	7,12,000	8,53,000
Civil Department—						
w and Justice—						
Courts of Law	5,73,507	5,70,615	6,39,469	6,00,000	6,12,000	6,24,000
Jails	12,07,552	11,58,667	9,21,281	11,68,000	8,13,000	9,64,000
lice	1,38,965	1,41,084	1,80,904	1,45,000	1,89,000	1,67,000
ts and Pilotage ..	15,99,308	14,90,708	15,56,871	15,31,000	15,50,000	15,48,000
ucation	5,60,354	5,65,590	7,18,367	7,75,000	5,97,000	6,00,000
edical ...	2,43,855	2,38,934	2,81,855	2,90,000	2,84,000	2,98,000
entific and other Minor Departments	2,82,319	2,76,622	2,86,008	3,31,000	2,83,000	3,87,000
Total ...	45,45,360	44,51,220	45,83,745	48,40,000	43,28,000	45,88,000
ns—						
ceipts in aid of Superannuation...	62,729	4,15,664	59,540	55,000	64,000	61,000
tionery and Printing ...	1,34,920	1,32,763	1,29,070	1,33,000	1,26,000	1,34,000
iscellaneous	6,50,180	5,86,455	6,34,688	5,83,000	6,60,000	7,42,000
Total ...	8,47,829	11,34,882	8,23,298	7,71,000	8,49,000	9,37,000
ajor Works (direct receipts)	22,97,528	23,80,950	26,23,820	24,36,000	27,08,000	25,92,000
inor Works and Navigation—						
By Public Works Department	6,60,499	6,52,852	5,79,308	6,33,000	5,84,000	6,50,000
By Civil Department ...	1,18,688	1,07,147	1,02,305	1,07,000	1,02,000	1,07,000
Total ...	30,76,715	31,40,949	33,15,433	31,76,000	33,94,000	33,49,000
nd Roads—						
Civil Works—						
By Public Works Department	3,19,635	3,41,459	3,48,202	3,55,000	3,55,000	3,55,000
By Civil Department ...	1,81,234	1,76,872	1,83,184	1,80,000	1,70,000	1,80,000
Total ...	5,00,869	5,18,331	5,31,386	5,35,000	5,25,000	5,35,000
Contributions ...	4,96,937	1,01,713	.....	.....	.....	.....
Total ...	5,03,57,082	5,21,98,088	5,59,03,006	5,60,35,000	5,77,43,000	5,58,09,000
Grand Total ...	6,16,18,980	6,15,83,531	6,30,76,819	6,19,12,000	6,36,86,000	6,45,46,000

BENGAL PROVINCIAL EXPENDITURE.

Expenditure.	Actuals.			1909-10.		1910-1
	1906-07.	1907-08.	1908-09.	Sanctioned estimate.	Revised estimate.	Budg estima
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs
Direct demand on the revenues—						
1. Refunds and drawbacks ...	1,16,578	1,51,195	1,31,332	1,34,000	1,38,000	1,3
2. Assignments and Compensations	69,324	63,019	66,907	70,000	66,000	70
3. Land Revenue	35,26,901	37,18,322	37,10,161	40,00,000	37,10,000	39,86
6. Stamps	2,04,010	2,04,977	2,31,194	2,52,000	2,35,000	2,52
7. Excise	3,71,560	3,86,524	3,92,768	4,15,000	4,22,000	4,42
8. Provincial Rates	55,784	45,282	41,429	50,000	46,000	64
10. Assessed Taxes	75,115	76,531	80,002	82,000	78,000	82
11. Forests	3,16,244	3,56,697	2,91,991	2,93,000	2,90,000	3,32
12. Registration	6,42,687	7,52,158	8,14,977	8,24,000	7,81,000	8,13
Total ...	53,78,203	57,54,700	57,60,761	61,20,000	57,66,000	61,76
9. Interest on ordinary Debt ...	2,36,226	3,02,281	4,92,409	6,92,000	6,21,000	5,68
Salaries and Expenses of Civil Department—						
18. General Administration ...	18,41,137	18,73,543	19,06,794	19,10,000	19,19,000	21,02
19. Law and Justice { Courts of Law	74,09,956	75,61,397	83,75,876	79,20,000	83,04,000	82,43
19. Law and Justice { Jails ...	26,63,436	26,96,952	27,70,423	27,00,000	28,00,000	28,71
20. Police	69,05,442	73,93,346	80,25,874	83,78,000	80,06,000	84,73
21. Ports and Pilotage	11,74,053	11,95,783	22,62,057	12,44,000	11,48,000	12,93
22. Education	38,50,750	45,52,592	55,28,726	55,57,000	55,50,000	59,1
24. Medical	21,96,753	22,41,779	23,28,034	25,20,000	23,39,000	25,16
25. Political	41,248	47,083	52 404	56,000	46,000	58
26. Scientific and other Minor Departments.	9,73,964	10,76,142	12,26,466	14,05,000	11,89,000	14,32
Total ...	2,70,56,739	2,86,38,617	3,24,76,654	3,16,90,000	3,13,01,000	3,29,08
Miscellaneous—						
29. Superannuation, etc.	24,86,467	25,91,642	26,27,146	27,48,000	27,20,000	28,11
30. Stationery and Printing ...	12,85,202	14,67,251	13,35,983	13,71,000	13,30,000	14,15
32. Miscellaneous	3,46,620	3,91,254	5,69,379	5,27,000	3,83,000	4,98
Total ...	41,18,289	44,50,147	45,32,508	46,46,000	44,32,000	47,25
Famine Relief and Insurance—						
33. Famine Relief	7,11,138	.....	1,56,824	9,14,000	2,48,000	.....
Avoidance of debt	.....	2,60,000	2,60,000	2,60,000	2,60,000	2,60,0
Railways (Revenue Accounts)—						
40. Subsidised Companies—Land, etc	...	3,413	.....	1,000	1,000	2,0
Total ...	7,11,138	2,63,413	4,16,824	11,75,000	5,09,000	2,62,0
Irrigation—						
42. Major Works—						
Working expenses	11,88,907	14,25,201	13,97,147	13,44,000	13,81,000	13,50
Interest on Debt	21,21,310	21,06,966	20,90,527	21,09,000	20,91,000	20,92
43. Minor Works and Navigation—						
By Public Works Department...	19,06,731	18,77,214	20,82,056	21,31,000	21,50,000	22,72,0
„ Civil Department ...	10,211	12,680	11,116	9,000	11,000	8,0
Total ...	52,27,159	54,22,061	55,80,846	55,93,000	56,33,000	57,22,0
Buildings and Roads—						
45. Civil Works—						
By Public Works Department	66,93,428	72,53,933	62,93,800	45,10,000	49,00,000	52,59,0
„ Civil Department ...	1,87,059	4,04,293	17,29,575	24,86,000	16,86,000	19,26,0
Total ...	68,80,487	76,58,226	80,23,375	69,96,000	65,86,000	71,85,0
Contributions ...	26,26,296	19,19,273	.....	.....	.....	.....
Total ...	5,22,34,587	5,44,08,718	5,72,33,377	5,69,12,000	5,48,49,000	5,75,46,0
Closing balance ...	93,84,443	71,73,813	58,43,442	50,00,000	87,37,000	70,00,0
Grand Total ...	6,16,18,980	6,15,82,531	6,30,76,819	6,19,12,000	6,35,86,000	6,45,46,0
Provincial surplus (+) or deficit (—) ...	—18,77,455	—22,10,630	—12,30,371	—8,77,000	+28,94,000	—17,37,0

[Figures in columns (6) and (7) are those passed by the Government of India.]

The remarks in column 8, except where otherwise especially explained, refer to difference between columns 5 and 7.

I.—Land Revenue—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Gross Land Revenue ...	2,89,04,871	2,92,06,720	2,92,73,443	2,99,14,000	3,03,00,000	3,02,92,000	
Deduct collections from Government estates which are wholly Provincial ...	34,12,948	30,36,761	35,37,651	34,20,000	36,38,000	34,67,000	The increase in the revised estimate is owing to the collection of arrears.
Deduct recoveries of Survey and Settlement charges which are Imperial ...	—95,210	7,54,384	2,52,088	8,65,000	7,97,000	11,55,000	Budget estimate, 1910-11. Rs. Patna Division ... ... 5,00,000 South Monghyr ... ... 3,30,000 „ Bhagalpur ... ... 5,000 Ranchi ... ... 2,00,000 Singhbhum (Dhalbhum) ... ... 1,20,000 Total ... 11,55,000
Total Deductions ...	33,17,738	37,91,145	37,89,739	42,85,000	44,35,000	46,22,000	
Net amount divisible between Imperial and Provincial ...	2,55,87,133	2,54,14,575	2,54,83,704	2,56,29,000	2,58,65,000	2,56,70,000	
Provincial share of above ...	1,27,93,567	1,27,07,288	1,27,41,852	1,28,14,000	1,29,32,000	1,28,35,000	
Add collections from Government estates	34,12,948	30,36,761	35,37,651	34,20,000	36,38,000	34,67,000	
Total Provincial ...	1,62,06,515	1,57,44,049	1,62,79,503	1,62,34,000	1,66,70,000	1,63,02,000	
Add on account of adjustments as shown on next page ...	12,14,548	21,01,634	48,96,393	32,73,000	66,00,000	33,64,000	
Grand Total (Provincial share)	1,74,21,063	1,78,45,683	2,11,75,896	1,95,07,000	2,30,70,000	1,96,66,000	

Adjustments—

HEADS.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	REMARKS.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
Contributions from Imperial to Provincial.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Fixed adjustment under the Provincial Settlement ...	7,39,000	7,39,000	7,39,000	7,39,000	7,39,000	7,39,000	
On account of expenditure in connection with the Settlement operations in the Chanderpur Padampur estate and Phaljhar zamindari in the Central Provinces	6,000	.....	.....	.....	.....	.....	
On account of the Madaripur Bhil Route (Maintenance) ...	50,000	50,000	50,000	50,000	50,000	50,000	
For capital expenditure on ditto	.....	50,000	83,858	1,68,000	1,70,000	1,53,000	Represent a moiety of the net capital outlay on the scheme payable by the Government of Eastern Bengal and Assam.
For Cantonment Magistrates ...	29,000	.....	.....	.....	.....	.....	Imperialised with effect from the 1st April 1907.
In connection with the Famine-relief Scheme	.....	2,60,000	2,60,000	2,60,000	2,60,000	2,60,000	
For Archæological expenditure	10,000	7,134	6,000	.....	5,000	.....	
Adjustment of expenditure incurred in connection with the repairs of Archæological remains at Monair	706	.....	.....	.....	.....	.....	
Assignment for Police reforms ...	4,00,000	8,00,000	12,00,000	14,50,000	14,50,000	17,67,000	Includes an annual additional assignment of Rs. 3,17,000 with effect from 1910-11.
For Technical education ...	35,000	35,000	35,000	35,000	35,000	35,000	
For European and Eurasian education	65,000	65,000	65,000	65,000	65,000	65,000	
For special contribution to Provincial revenues ...	.....	.....	16,95,000	.....	30,42 000	.....	A special Imperial assignment of Rs. 30,42,000 has been made in 1909-10 partly to restore the normal scale of expenditure on Civil Works and partly to raise the closing balance to the prescribed minimum of 20 lakhs in 1910-11 (exclusive of 50 lakhs held on account of the Calcutta Improvement Trust).
For University and Collegiate education	1,60,000	1,60,000	1,60,000	.....	1,60,000	1,60,000	
On account of the abolition of the Patwari Cess in Sambalpur ...	26,000	26,000	26,000	26,000	26,000	26,000	
For the continuous maintenance of records in Orissa ...	.....	29,000	59,000	88,000	88,000	1,18,000	
Surplus receipts over expenditure of the districts transferred							

Industry Department of the Government of India ...	16,000	16,000	18,450	20,000	20,000	20,000	
On account of the Eastern Bengal and Assam Government contribution to the Belgachia Veterinary College	28,000	28,000	28,000	28,000	28,000	28,000	
For charges in connection with Major Sutherland's enquiry in the Medical College ...	.....	.....	12,000	28,000	28,000	.....	
Grant for special bonus to low-paid Government servants ...	.....	.....	1,31,175	.....	.....	.....	
Transfer of buildings occupied by the Superintendent, Post Office, Cuttack, to Imperial (Government of India, Commerce and Industry Department letter No. 11149—254, dated 9th December 1908, to the Director-General of Post Offices of India) ...	.....	.....	5,070	.....	.....	.....	
Charges in connection with Captain McCay's deputation to conduct an enquiry into the subject of jail dietaries ...	.....	.....	9,887	.....	13,000	.....	
On account of the provincialization of the Dhaka Canal ...	12,000	12,000	12,000	12,000	12,000	12,000	
For transfer of a portion of the cost of the Calcutta Collectorate from the divided head of Excise to the wholly provincial head of Land Revenue ...	.....	.....	4,330	4,000	4,000	4,000	
For net charges of Inland Labour Transport in Bengal payable by Eastern Bengal and Assam	.....	.....	13,000	13,000	13,000	13,000	
For increased remuneration to the Solicitor to Government ...	.....	36,000	36,000	36,000	36,000	36,000	
To meet extra expenditure on account of supplies by the Central Press, Calcutta, to the provincial Presses ...	.....	2,000	2,000	2,000	2,000	2,000	
For transfer of the control of the Government gardens in and near Calcutta to the Superintendent, Royal Botanic Gardens	.....	10,500	10,500	11,000	3,000	3,000	The decrease is due to the re-transfer of the control of the Government House gardens to the Military Department.
Fees paid by the Eastern Bengal and Assam Government to the Sanitary Board, Bengal, for the preparation of the water-work scheme of the Barisal			4,142	.....	.....	.....	

HEADS.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	REMARKS.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
For grant to the Bibliothica Indica Fund of the Asiatic Society ...	.....	3,000	3,000	3,000	3,000	3,000	
On account of the remission of banking fees charged to Local Funds for their transactions with Government treasuries...	.....	70,000	70,000	70,000	70,000	70,000	
For relief of Municipalities from Police charges	... ..	.....	21,000	21,000	21,000	21,000	
Expenditure on cemeteries ...	.....	4,000	4,000	4,000	4,000	4,000	
On account of the remission of audit fees hitherto charged to local bodies	.. ...	65,000	65,000	65,000	65,000	65,000	
Assignment for works of sanitary improvements.	.....	.....	4,50,000	4,50,000	4,50,000	4,50,000	
Audit of the Calcutta Municipal accounts	.....	.....	.....	11,000	11,000	11,000	
Conduct of the Overseer and Sub-Overseer examinations ...	.....	.....	.....	.....	4,000	.....	A moiety of the cost is payable by the Government of Eastern Bengal and Assam. From 1910-11 it will be paid direct to the Joint Technical Examination Board, and not through the Bengal accounts.
Cost of printing and publishing the text-books for High Proficiency and Degree of Honour examinations in the Tibetan language	.....	.....	.....	.....	2,000	.....	
For training in agriculture of Babu J. N. Chakravarty whose services have been transferred to Eastern Bengal and Assam	.....	.....	.....	.....	8,000	... .	
Deduct Contribution from Provincial to Imperial.							
Transfer of the balance of the District Dâk Funds to Imperial	2,17,780	.....	.....	.....	.....	.....	
On account of the abolition of the Superannuation Fund ...	21,000	21,000	21,000	21,000	21,000	21,000	
For savings under Interest—Capital outlay on Irrigation works	3,45,000	3,45,000	3,45,000	3,45,000	3,45,000	3,45,000	
Excess credit to Provincial on account of the gardens at Government House ...	.....	.....	16,000	.....	.....	.....	
Recovery of contribution from Provincial in connection with the new scheme of taxation							

in the office of the Auditor of Government Consignments, Calcutta, which has been provincialized ...	.....	.....	.....	15,000	16,000	16,000	
Net sum to be transferred from Imperial	12,14,548	21,01,634	46,95,393	32,73,000	65,00,000	33,64,000	

IV.—Stamps—

Sale of general stamps ...	42,94,584	46,14,354	46,86,068	48,60,000	46,79,000	53,36,000	Increase of Rs. 6,86,000 expected from the new scheme of taxation involving higher duties on debentures, share warrants to bearer, transfers of shares and debentures, agreements relating to the sale of shares and securities, bills of exchange and probates.
Do. of court-fee stamps ...	1,00,20,443	1,04,46,237	1,06,02,066	1,12,00,000	1,06,00,000	1,10,35,000	
Do. of plain-paper to be used with court-fee stamps ...	1,93,781	1,93,283	1,90,669	1,94,000	2,03,000	2,10,000	
Duty on impressing documents	1,71,939	3,06,731	80,713	1,70,000	64,000	1,50,000	
Fines and penalties ...	20,092	21,689	28,903	25,000	29,000	40,000	
Miscellaneous	5,859	3,988	12,020	51,000	21,000	15,000	
Total ...	1,47,06,698	1,55,88,275	1,55,99,838	1,65,00,000	1,56,00,000	1,67,86,000	Revised based on ten months' actuals.
Provincial share ...	73,53,349	77,94,138	77,99,919	82,50,000	78,00,000	83,93,000	

V.—Excise—

License and distillery fees for the sale of liquors and drugs—							
Foreign liquors ...	2,99,986	2,70,106	2,94,959	3,00,000	2,90,000	2,90,000	
Indian-made liquors excised at tariff rates ...	7,73,193	9,09,682	7,90,157	8,50,000	8,10,000	8,62,000	Budget includes Rs. 52,000 from the new scheme of taxation for increased tariff rates on beer and spirits.
Country spirits—							
License fees—							
Distillery	16,76,693						
Outstills	39,92,236	92,96,836	89,87,331	98,37,000	88,00,000	90,00,000	The abolition of outstills and the introduction of the contract distillery system have caused a reduction in license fees.
Still-head duty ..	29,31,323						
Miscellaneous	86,485						
Toddy revenue	11,35,078	11,82,292	12,39,503	12,00,000	12,00,000	12,00,000	
Opium and its preparation ...	6,20,681	6,25,483	6 57,942	6,80,000	6 60,000	6 60,000	
Other drugs, ganja, bhang, etc.	13,40,024	13,16,544	14,06,182	13,70,000	14,00,000	14,00,000	
Total ...	1,28,66,678	1,35,96,943	1,33,76,074	1,42,37,000	1,31,60,000	1,34,12,000	
Gain on sale-proceeds of excise opium	17,31,399	19,96,606	20,59,997	21,20,000	19,53,000	20,50,000	
Duty on ganja	14,71,197	14,60,889	15,42,247	15,20,000	16,15,000	15,68,000	
Fines, confiscations and miscellaneous	23,118	23,261	21,016	23,000	22,000	22,000	
Transit duty on excise opium ...	.....	.....	1,670	.....	.....	.....	
Grand Total ...	1,60,81,393	1,70,77,699	1,70,01,004	1,79,00,000	1,67,50,000	1,70,52,000	Revised based on ten months' actuals. The Budget provides for a normal increase of 3½ lakhs.
Provincial share ...	80,40,696	85,38,849	85,00,502	89,50,000	83,75,000	85,26,000	

VI.—Provincial Rates—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Public Works Cess ...	34,91,470	36,18,463	36,60,066	36,53,000	38,70,000	37,90,000	The increase in the revised is partly on account of the collection of arrears and is partly due to the collection of rates from coal mines valued for the first time in 1908-09, but the cess on which was not collected in that year. A reduction in the profits of coal mines is anticipated, and there will be smaller arrears for collection in 1910-11.
General rates for the management of private estates ...	1,26,776	1,59,985	1,50,820	1,63,000	1,65,000	1,85,000	Budget based on enhanced rates to be realised to meet the salary of the lady Legal Adviser for *purda-nashin* ladies and her establishment, etc.
Total ...	36,18,246	37,78,438	38,10,886	38,16,000	40,35,000	39,75,000	

VIII.—Assessed Taxes—

Deductions by Government from salaries and pensions, etc. ...	4,20,988	4,27,164	4,40,522	4,55,000	4,50,000	4,60,000	
Deductions by Government from interest on Government securities	21,801	23,830	24,053	25,000	25,000	26,000	
Deductions from salaries, etc., paid by local authorities or companies	58,387	58,699	63,240	70,000	64,000	63,000	
Income-tax on securities of local authorities or companies ...	1,02,747	1,11,088	1,27,334	1,25,000	1,20,000	1,27,000	
Ordinary collections ...	42,44,122	45,55,085	49,71,118	51,00,000	48,73,000	52,06,000	
Penalties	11,114	11,786	9,344	15,000	10,000	10,000	
Miscellaneous	3,103	9,376	7,353	10,000	3,000	3,000	
Total ...	48,67,262	51,97,028	56,42,964	58,00,000	55,50,000	59,00,000	Revised based on ten months' actuals.
Provincial share ...	24,33,631	25,98,514	28,21,482	29,00,000	27,75,000	29,50,000	

removed from the forests by Government agency ...	46,155	60,628	17,669	17,000	22,000	16,700	
Timber and other produce removed from the forests by consumers or purchasers ...	9,82,886	11,01,552	11,24,366	12,42,000	9,39,000	10,41,700	A recovery in the timber trade is anticipated in 1910-11. The increase is also due to the extension of mica-mining in Palamau. The decrease in the revised is due to general depression in the timber trade and to a decrease in the quantity of *sabai* grass cut in Singhbhum.
Confiscated drift and waif wood	4,085	5,506	1,937	3,800	2,000	3,600	Revised based on ten months' actuals.
Miscellaneous	32,734	39,964	40,874	37,200	37,000	38,000	
Total ...	10,65,859	11,97,650	11,84,846	13,00,000	10,00,000	11,00,000	
Provincial share ...	5,32,929	5,98,825	5,92,423	6,50,000	5,00,000	5,50,000	
X.—Registration—							
Fees for registering documents...	11,97,637	12,47,672	13,27,151	14,50,000	12,72,000	13,77,000	
Fees for copies of registered documents	32,005	37,703	37,437	38,000	42,000	44,000	
Miscellaneous	55,790	61,181	61,465	62,000	66,000	66,000	
Total ...	12,25,432	13,46,556	14,26,043	15,50,000	13,80,000	14,87,000	The Budget provides for an increase of Rs. 1,07,000. Revised based on ten months' actuals.
XII.—Interest—							
Class I.—Interest on advances to cultivators—							
On advances to cultivators under the Land Improvement Loans Act ...	25,138	1,04,494	41,519	5,60,000	2,54,000	4,26,000	Decrease in the revised is due to the non-recovery of interest in the current year. The increase in the Budget is on account of the recovery of arrears.
On advances to cultivators under the Agriculturists' Loans Act, XXII of 1884	37,094		93,933				
On loans to Co-operative Credit Societies ..	76	—53	50	569	442	1,000	
Class II.—Interest on advances under Special Laws—							
On drainage and embankment advances ...	—13,307	33,068	43,272	28,000	22,000	27,000	
Class III.—Interest on loans to land-holders, etc. ...	10,841	7,454	1,21,031	2,64,000	2,13,000	1,73,000	
Class IV.—Interest on loans to Municipal and other public Corporations (excluding Presidency Corporations) ...	1,52,614	1,61,766	1,78,378	1,92,000	1,79,000	1,84,000	Revised based on outstanding arrear balances, excluding the advances on account of the Magra Hât Drainage Scheme. Budget based on the amount of interest due next year on the existing loans and on the probable amount of advances to be made next year, excluding the advances on account of the Magra Hât Drainage Scheme.
Interest on Government securities	7,046	7,094	7,070	7,000	7,000	8,000	
Interest on famine advance ...	.....	2,068	.....	... ...	... ...	... ...	

XII.—Interest—concluded.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
Miscellaneous—	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Interest on arrears of Public Works cess	33,493	31,864	34,246	32,500	32,000	32,000	
Other items	17,720	1,264	1,743	4,500	4,000	2,000	The actuals of 1906-07 included interest on debentures held by the Calcutta Police Superannuation Fund which were sold in 1907-08.
Interest on zamindari embankment recoveries, etc. ...	1,321	981	746	1,500	1,000	1,000	
Total Miscellaneous ...	52,534	34,109	36,740	38,000	37,000	35,000	
Deduct for rounding ...	.....	.....	.....	+431	—442	.....	
Total ...	2,62,086	3,49,990	5,21,993	10,90,000	7,12,000	8,53,000	

XVIA.—Law and Justice—Courts of Law—

Sale-proceeds of unclaimed and escheated property ...	28,611	25,046	73,220	25,000	27,000	28,000	There were special receipts of Rs. 43,000 in 1908-09 in the district of Bhagalpur.
Court-fees realised in cash ...	18,360	21,709	21,227	22,000	17,000	21,000	
General fees, fines and forfeitures	4,86,840	4,86,592	5,04,052	5,07,000	5,20,000	5,30,000	
Pleadership Examination fees ...	25,504	26,493	27,483	27,000	31,000	29,000	Estimates based on past actuals.
Miscellaneous fees and fines ...	2,297	2,285	805	2,000	1,000	1,000	
Miscellaneous	11,895	17,490	12,682	17,000	16,000	15,000	
Total ...	5,73,507	5,79,615	6,39,469	6,00,000	6,12,000	6,24,000	Revised based on the actuals of the first nine months.

XVIB.—Jails—

Jails	14,037	16,287	12,312	16,000	13,000	14,000	
Jail Manufactures	11,93,515	11,42,380	9,08,969	11,52,000	8,00,000	9,50,000	The decrease in the revised is due to smaller demands for supplies including tents from different Departments, specially the Police and Ordnance Departments.

Police supplied to Municipal and Town Funds ...	.....	.....	39	.....	.....	.....	
Police supplied to public Departments, private Companies and persons	30,793	18,386	64,508	30,000	78,000	50,000	Smaller recoveries on account of punitive police are anticipated.
Presidency Police	76,232	75,107	75,298	77,000	72,000	77,000	
Recoveries on account of village police	491	588	1,994	1 000	2,000	2,000	
Fees, fines and forfeitures ...	25,359	27,104	27,318	27,000	27,000	27,000	
Superannuation receipts ...	1	.....	.....	.....	.....	.....	
Miscellaneous	6,089	19,899	11,747	10,000	10,000	11,000	
Total ..	1,38,965	1,41,084	1,80,904	1,45,000	1,89,000	1,67,000	Revised based on the actuals of the first nine months.

XVIII.—Ports and Pilotage—

Sale-proceeds of vessels and stores	.....	1,580	22,003	1,000	6,000	1,000	The actuals of 1908-09 included the sale-proceeds of the pilot-vessel *Fame*. Revised includes Rs. 5,700 for the sale-proceeds of the steam-launch *Enchantress*.
Registration and other fees ...	73,362	70,848	75,205	72,900	75,000	72,000	Decrease in budget is due to the introduction of a separate examination by Eastern Bengal and Assam.
Pilotage receipts { Calcutta ...	13,73,590	13,33,777	13,76,808	13,70,000	13,84,000	13,90,000	
Pilotage receipts { Balasore ...	.....	.....	.....	100	.....	.....	
Lead-money for Volunteers ...	16,697	15,375	12,091	16,000	13,000	12,000	
Miscellaneous—							
Deductions for mess-money ...	12,987	12,595	13,155	13,000	13,000	13,500	
Marine survey	44,545	39,675	37,024	40,000	39,400	40,000	
Overtime fees	8,194	8,176	8,384	8,400	8,200	8,400	
Miscellaneous receipts of the Shipping Office ...	5,926	4,725	5,079	5,000	7,000	6,150	
Other items	3,537	3,887	6,122	4,500	4,400	5,000	
Fees for certificates of inland vessels under Act VI of 1884	473	70	.....	100	.....	.....	
For rounding ...	.....	.....	.....	.....	.....	—50	
Total Miscellaneous ...	75,659	69,128	68,764	71,000	72,000	73,000	
GRAND TOTAL ...	15,39,308	14,90,708	15,55,871	15,31,000	15,50,000	15,48,000	Revised based on the actuals of the first nine months.

XIX.—*Education*—

Heads.	1908-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Fees, Government Colleges— General	1,77,418	1,90,158	1,78,728	1,85,000	2,27,000	2,13,000	Budget and revised include receipts from hostel fees which were first taken under Miscellaneous, but afterwards adjusted under "Government Schools—General."
Professional	47,162	50,229	51,107	20,000	41,000	37,500	
Fees, Government Schools— General	2,58,023	2,62,832	2,97,604	2,59,000	2,69,000	2,73,000	
Special	12,962	12,239	11,068	17,000	18,000	18,000	
Contributions from Native States, private persons and Municipalities	10,973	8,864	13,497	11,200	10,000	13,000	
Income from endowments ...	.....	1	14	.....	.....	.....	
Miscellaneous	53,826	41,273	1,91,344	2,82,800	32,000	45,500	The actuals of 1908-09 included the refunds made by District Boards of the amounts placed at their disposal in previous years for primary school buildings. No refunds have been made on this account in the current year though it was anticipated that 2 lakhs would be refunded.
Total ...	5,60,364	5,65,590	7,18,357	7,75,000	6,97,000	6,00,000	

XX.—*Medical*—

Medical School and College fees	51,294	50,844	59,170	53,000	64,000	63,000	
Hospital receipts (receipts from paying patients) ...	1,11,387	1,14,858	1,47,055	1,60,000	1,43,000	1,50,000	
Lunatic Asylum receipts ...	17,826	18,060	14,615	19,000	16,000	15,000	
Contributions (from Municipalities and private persons) ...	47,729	48,914	47,392	48,000	47,000	57,000	Larger contributions have been promised by the Calcutta Corporation to the Campbell Hospital and Sumbhu Nath Pandit's Hospital.
Medicines sold to Civil Surgeons	29	14	39	... ..	3,000	.....	
Miscellaneous	15,080	6,244	13,584	10,000	11,000	13,000	
Total ...	2,43,355	2,38,934	2,81,855	2,90,000	2,84,000	2,98,000	Revised based on the actuals of the first nine months.

Botanical and other public garden receipts	2,075	1,812	2,079	2,000	2,000	2,500	
Veterinary and stallion receipts	28,317	33,339	33,451	35,000	35,000	35,000	
Cinchona plantation ...	2,05,978	2,05,267	1,92,238	2,22,000	1,82,000	2,50,000	Increased sales of quinine are anticipated.
Receipts on account of experimental cultivation ...	2,206	9,816	12,920	31,000	27,000	54,000	
Public exhibitions and fairs ..	.....	281	22	.....	.....	.....	
Emigration fees	41,684	25,336	26,743	30,000	22,000	28,000	
Inland Labour fees ...	.....	.....	15,722	19,000	14,000	16,000	
Examination fees	1,956	770	2,757	1,000	1,000	1,500	
Miscellaneous	103	1	76	.....	.....	.....	
Total ...	2,82,319	2,76,623	2,86,008	3,31,000	2,83,000	3,87,000	Revised based on the actuals of the first nine months.

XXII.—Receipts in aid of Superannuation—

Family subscriptions of Indian members of the Covenanted Civil Service	1,622	1,609	1,586	2,000	2,000	2,000	
Contributions for pensions and gratuities—							
Contributions of officers lent to Foreign service of the first and second kind ...	38,747	42,555	39,461	36,000	41,000	39,000	
Contributions of persons employed for the management of private estates under Act X of 1892 ...	8,011	4,545	3,463	5,000	6,500	5,000	
Annuity deductions of Covenanted Civilians lent to Native States, etc., for short terms	1,630	..	2,062	2,400	1,500	2,000	
Refund of gratuities ...	40	2,227	.....	.....	.	.....	
Deductions for Marine Pension Fund	12,563	11,751	12,963	12,000	13,000	13,000	
Miscellaneous	66	3,62,977	.....	.....	.. ...	... ..	The actuals of 1907-08 represented the sale-proceeds of the Calcutta Municipal Debentures belonging to the Police Superannuation Fund.
				55,400			
Deduct—For rounding ...	... ..	.....		400	.....	.....	
Total ...	62,729	4,15,664	59,540	55,000	64,000	61,000	

XXIII.—Stationery and Printing—

HEADS.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	REMARKS.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	
Stationery receipts	2,243	2,249	3,599	2,000	2,000	2,500	
Sale of Gazettes and other publications	1,00,6:4	95,561	94,191	95,970	98,000	95,900	
Other Press receipts ...	32,053	34,953	32,280	35,050	27,000	35,600	
Total ...	1,34,920	1,32,763	1,29,070	1,33,000	1,25,000	1,34,000	Revised based on the actuals of the first nine months.
XXV.—Miscellaneous—							
Recovery on account of famine expenditure	....	.. ...	3,823	.....	6,000	4,000	
Unclaimed deposits... ...	4,36,132	4,06,717	4,64,451	4,00,000	4,05,000	4,05,000	Revised based on the amounts likely to lapse to Government at the close of the year. Budget follows the revised.
Treasure-trove	4	1,016	2	... .	.....	... ..	
Sale-proceeds of Durbar presents	2,190	15,619	19,961	3,000	7,000	3,000	
Sale of old stores and materials	1,278	3,013	1,239	2,000	45,000	2,000	Revised includes the sale proceeds of the steam-trawler *Golden Crown* belonging to the Fishery Department, sold for Rs 40,000.
Sale of lands and houses, etc. ...	6,987	1,919	296	... .	60,000	1,80,000	Revised includes Rs 60,000, being a part payment of the sale-proceeds of the Jorabagan thana. Budget includes Rs. 1,40,000, the balance of the sale-proceeds, which are roughly estimated at 2 lakhs, and Rs. 40,000 on account of the sale-proceeds of the existing land and buildings of the Garden Reach thana.
Fees for Government audits ...	49,994	15,759	27,085	21,000	22,000	19,000	Decrease from 1907-08 due to abolition of audit fees for the audit of Municipal and Local Funds Accounts.
Rents	17,066	22,421	18,043	20,000	17,000	19,000	
Miscellaneous fees, fines and forfeitures	3,155	2,570	2,972	3,000	3,000	3,000	
Contributions	27,192	.....	.....	.....	...		The levy of banking fees was abolished in 1907-08.
Miscellaneous—							
Fees and fines of Revenue Courts	60,196	66,532	67,420	66,000	70,000	67,000	
Recoveries of Law charges other than those in pauper suits	15,933	21,370	13,372	21,000	13,500	17,000	
Value of mathematical stores returned	.....	2,563	908	....	.....	.....	
Sundry receipts—Circuit-house	796	345	153	500	500	500	
Miscellaneous receipts on [illegible]							

ment of Wards' estates ..	408	1,175	1,075	1,000	1,000	.. ..	
Sale-proceeds of trees on tea-lands	205		.....	.....		.....	
Sale of fish	.....	.....	.....	15,000	.....	.....	
Sale of elephants	12,900	6,406	.....	11,000	...	5,000	
Other items	14,107	19,130	14,299	19,500	9,500	16,500	
Total Miscellaneous ...	1,06,182	1,17,521	96,816	1,34,000	95,000	1,07,000	Revised based on the actuals of the first nine months.
Grand Total ...	6,50,180	5,86,455	6,34,688	5,83,000	6,60,000	7,42,000	

XXIX.—Major Works—(Direct Receipts)—

Orissa Canals	5,01,729	4,87,689	5,14,772	5,10,000	5,11,000	4,93,000	
Midnapore Canal	1,66,521	1,53,330	1,74,734	1,70,000	1,92,500	1,93,000	Increase in water-rate was due to the irrigation of a larger *kharif* area in 1909-10; the leases, being for a term of years, will hold good for 1910-11.
Hijili Tidal Canal	71,515	58,703	46,055	62,000	77,500	73,000	Increase expected from navigation receipts, owing to good crops in the district of Balasore.
Sone Canals	16,64,819	16,63,360	18,71,088	16,75,000	19,20,000	18,22,000	Increase in water-rate was due to the larger area irrigated during 1 08-09. The
Dhaka Canal	2,944	17,868	27,171	19,000	7,000	11,000	*rabi* area that will be irrigated in 1909-10 will be less than in 1908 09, owing to the favourable rainfall. Smaller receipts are therefore anticipated for 1910-11.
Total ...	22,97,528	23,80,950	26,33,820	24,36,000	27,08,000	25,92,000	

XXX.—Minor Works and Navigation—

In charge of the Civil Department.							
Recoveries on account of lands benefited by embankments ...	1,14,382	1,07,147	1,02,305	1,07,000	1,02,000	1,07,000	
Recoveries on account of capitalised maintenance charges of the Rajapur Drainage Project	4,306	...	.. .	.....	.....	.....	
Total in charge of the Civil Department	1,18,688	1,07,147	1,02,305	1,07,000	1,02,000	1,07,000	
In charge of the Public Works Department.							
(Irrigation and Navigation Works.)							
Works for which Capital and Revenue accounts are kept—							
Orissa Coast Canal ...	37,738	26,049	20,859	27,000	27,000	27,000	
Saran Canals	797	717	1,168	800	1,000	1 000	
Calcutta and Eastern Canals	5,08,968	5,23,610	4,32,012	4,50,000	4,10,000	4,70,000	Increase expected owing to the opening of the Ultadanga-Bamanghata Canal.
Midnapur Bhil scheme ...			38,107	51,000	46,000	51,000	The decrease in the revised is due principally to a falling off in navigation receipts—mainly due to obstructions caused by sunken boats wrecked in the cyclone of October 1909.
Total ...	5,43,503	5,49,276	4,92,136	5,28,800	4,84,000	5,49,000	

XXX.—*Minor Works and Navigation*—concluded.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	
Works for which only Revenue accounts are kept—							
Nadia Rivers	45,515	35,235	28,765	40,000	30,000	30,000	
Gaighatta and Buxi Khal ...	3,000	2,500	3,469	4,500	4,500	4,500	
Total ...	48,515	37,735	32,234	44,500	34,500	34,500	
Works for which neither Capital nor Revenue accounts are kept—							
Eden Canal	29.131	18,958	19,857	20,500	22,000	21,000	
Teur „	1,635	5,823	5,125	5,200	5,000	5,500	
Sugarcane irrigation in Bihar	2,000	.....	... ...	... .		.....	
Damodar project ...	. ...	.....	.....	• ...	...	.....	
Total ..	32,766	24,781	24,982	25,700	27,000	26,500	
Total Irrigation and Navigation Works	6,23,784	6,11,792	5,49,352	5,99,000	5,45,500	6,10,000	
Agricultural Works.							
Works for which only Revenue accounts are kept—							
Magra Hât Drainage Project...	93	938	3,551	.....	5,000	7,000	
Works for which neither Capital nor Revenue accounts are kept—							
Government embankments	31,917	13,791	6,868	12,000	12,000	11,500	
Takavi embankments under contract	4,705	26,331	19,537	22,000	21,500	21,500	
Total Agricultural Works...	36,715	41,060	29,956	34,000	38,500	40,000	
Total in charge of the Public Works Department ...	6,60,499	6,52,852	5,79,308	6,33,000	5,84,000	6,50,000	
Grand Total ...	7,79,187	7,59,999	6,81,613	7,40,000	6,86,000	7,57,000	

XXII— Civil Works—

IN CHARGE OF THE CIVIL DEPARTMENT.							
Tolls on ferries	1,72,932	1,67,800	1,73,776	1,70,000	1,60,000	1,70,000	
Cemetery receipts	1,845	1,421	2,650	2,000	2,000	3,000	
Receipts from staging bungalows and encamping grounds ...	6,457	7,651	6,855	8,000	8,000	7,000	
Miscellaneous	.....	.....	3	.....	.....	.....	
Total in charge of the Civil Department	1,81,234	1,76,872	1,83,184	1,80,000	1,70,000	1,80,000	Revised based on nine months' actuals.
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.							
Total gross receipts ...	3,19,625	3,41,459	3,48,202	3,55,000	3,55,000	3,55,000	
GRAND TOTAL ...	5,00,859	5,18,331	5,31,386	5,35,000	5,25,000	5,35,000	

Contributions—

Bengal	4,98,937	55,349	.....	.....	.....	.....	This head ceased to exist when the District Funds and District Road Funds were made "Excluded Local Funds."

APPENDIX B.

Bengal Provincial Expenditure, in detail by minor heads.

[Figures in columns (6) and (7) are those passed by the Government of India.]

[The remarks in column 8, except where otherwise specially explained, refer to difference between columns 6 and 7.]

1.—Refunds and Drawbacks—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Land Revenue	17,565	28,397	18,193	23,000	15,500	19,000	Budget based on the average actuals of the past three years, omitting special payments.
Stamps	72,478	75,909	82,892	77,000	88,000	83,000	
Excise	5,015	19,125	11,670	10,000	10,000	11,000	
Assessed Taxes	9,013	10,460	8,375	10,000	9,000	9,000	
Forest	722	1,021	1,684	1,000	500	1,000	
Provincial Rates	9,433	12,566	5,711	10,000	12,000	9,000	
Registration	2,352	3,717	2,807	3,000	3,000	3,000	
Total ...	1,16,678	1,51,195	1,31,332	1,34,000	1,38,000	1,35,000	Revised based on the actuals of the first nine months.

2.—Assignments and Compensations—

Pension in lieu of resumed lands	1,411	1,466	1,312	2,000	1,000	2,000	Budget provides for actual claims.
Malikana	67,568	61,354	65,298	68,000	64,500	67,500	
Excise Compensation ...	345	200	297	400	500	700	
For rounding ...	.....	.....	.....	—400	.....	—200	
Total ...	69,324	63,019	66,907	70,000	66,000	70,000	Revised based on the actuals of the first nine months.

3.—Land Revenue—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Charges of District Administration—							
General Establishment ...	22,21,444	23,76,163	24,49,796	25,23,000	24,21,000	25,33,000	The Budget includes Rs. 33,600 for eight additional Joint-Magistrates by promotion of Assistant Magistrates and Rs. 34,400 for additional Deputy Magistrates and Sub-Deputy Collectors for the Settlement Department. Provision has been made for an increased number of probationary Deputy Collectors and Sub-Deputy Collectors.
Subdivisional Establishment	1,08,252	1,13,627	1,17,695	1,16,000	1,17,000	1,12,000	Smaller provision made for grain allowance.
Partition Establishment ...	27,024	—31,478	—61,018	—2,000	—47,000	—17,000	
Process-serving Establishment	1,49,341	1,51,671	1,53,789	1,59,000	1,47,000	1,27,000	The cost is now debited equally between Criminal and Revenue Courts instead of in the proportions of ⅓ths and ⅔ths, respectively, as hitherto.
Record-room (or copy-making) Establishment ...	46,180	37,438	28,408	39,000	26,000	26,000	No provision made for non-recurring improvements.
Survey of waste lands ...	2,557	149	.....	6,000	.....	6,000	It is in contemplation to revert to the old system of giving leases to large capitalists.
Management of Private Estates under Act X of 1892	25,528	29,605	33,839	39,000	36,000	40,500	
Lump provision for increase of pay of Ministerial Establishment	.....	.....	.....	1,40,000	40,000	1,50,000	Revised provides for half the charges of nine months while the budget provides for the payment of arrears of 1909-10.
Bonus	.....	.....	17,020	...	.....	.....	
				30,20,000	....	29,77,500	Revised based on the first nine months' actuals.
Deduct—Probable savings	.....	.....	.....	20,000	.....	—500	
Total ...	25,80,326	26,77,176	27,39,529	30,00,000	27,40,000	29,77,000	
Charges on account of Land Revenue collections ...	1,432	1,542	1,434	4,000	2,000	4,000	
Management of Government Estates—							
Collection of revenue ...	2,29,981	2,62,610	2,86,623	2,51,000	2,45,000	2,33,000	Estimate based on actual requirements.
Outlay on improvements ...	2,27,480	2,76,922	1,15,404	1,06,000	1,00,000	1,96,000	Estimate based on the percentage grant, with an addition of Rs. 40,000 for non-recurring improvements and Rs. 10,000 for the Hiranpur market.
Bonus	.....	.....	1,692	.....	.....	.....	
Total ...	4,57,461	5,39,532	4,03,719	3,57,000	3,45,000	4,29,000	Revised based on the actuals of the first nine months.

5.—Land Revenue—concluded.

Survey and Settlement—							
Controlling Office (survey) ...	5,895	5,772	3,533	.....	4,000	.....	
Other survey operations—							
Bengal Drawing Office ...	63,975	26,425	30,376	35,454	30,000	43,959	
Other operations ...	72,808	17,282	22,305	79,430	46,000	50,904	
Minor settlement operations	1,16,617	1,03,719	57,423	30,000	52,000	30,000	
Other ditto ...	1,43,772	75,750	1,29,416	1,06,736	1,07,000	28,922	
Refund to Imperial on account of survey and settlement of Government and temporary estates ...	....	.....	.....	6,000	6,000	6,000	
Bonus ...	.. ..	.. ..	67	.....	.....	.....	
				2,57,620		1,59,785	
For rounding ...				+380		+215	
Total ...	4,03,067	2,28,948	2,43,120	2,68,000	2,45,000	1,60,000	Revised based on figures supplied by the Director of Surveys and Land Records. Budget based on actual requirements.
Land Records—							
Superintendence ...	36,872	36,918	37,569	26,000	40,000	26,000	
District charges ...	47,743	2,34,207	2,84,162	4,15,000	3,38,000	4,44,000	Budget includes Rs. 2,93,000 for bringing the record-of-rights in Orissa up to date, Rs. 19,627 for the reproduction of maps, and Rs. 88,000 for the maintenance of records in Orissa.
Land Registration charges ...	.....	... ..	.....	.....	.....	16,000	
Bonus ...	.. ..	.....	628	.....	.....	.. ...	
Total ...	84,615	2,71,125	3,22,359	4,41,000	3,78,000	4,86,000	Revised based on actuals and the figures supplied by the Director of Land Records.
				40,60,000		40,56,000	
Lump deduction as probable savings				60,000		70,000	
Grand Total ..	35,26,901	37,18,322	37,10,161	40,00,000	37,10,000	39,86,000	

6.—Stamps—

HEADS.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	REMARKS.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Superintendence—							
Presidency Executive Establishment	.....	.....	.....	.....	.....	.....	
District Establishment ...	10,473	9,101	26,798	30,000	27,000	29,000	
Total ...	10,473	9,101	26,798	30,000	27,000	29,000	
Charges for the sale of general stamps—							Revised based on actuals of the first nine months. Budget based on anticipated requirements.
Discount on sale of unified stamps	216	.....	.....	.....	.....	.....	
Discount on sale of bills-of-exchange or hundies ...	5,162	5,350	3,810	5,000	3,000	4,500	
Discount on sale of other general stamps ...	1,12,734	1,15,116	1,16,698	1,21,000	1,14,000	1,19,500	
Total ...	1,18,112	1,20,466	1,20,508	1,26,000	1,17,000	1,24,000	
Charges on sale of court-fee stamps—							
Discount on sale of adhesive stamps	66,879	67,855	70,610	75,000	75,000	75,000	
Discount on sale of stamps for copies	7,128	6,211	5,660	6,000	6,000	6,000	
Establishment for sale of stamps	1,611	2,662	1,297	1,464	1,000	1,464	
For rounding ...				—464		—464	
Total ...	75,618	76,728	77,567	82,000	82,000	82,000	
Discount on plain paper ...	11,832	11,830	11,877	12,000	13,000	12,000	
Stamp paper supplied from Central Stores	1,91,990	1,91,829	2,26,639	2,55,000	2,31,000	2,57,000	Both the revised and budget are based on the figures supplied by the Controller of Stamps.
GRAND TOTAL ...	4,08,020	4,09,954	4,62,389	5,05,000	4,70,000	5,04,000	

Superintendence	85,184	83,823	84,347	90,000	86,000	93,000	Includes Bengal Share of the pay of Distillery Expert recently sanctioned.
Presidency Establishment—							
Calcutta Collectorate (office)	63,118	61,168	40,080	40,938	39,200	41,268	
Inspection and Prevention ...	22,782	25,280	22,266	20,712	20 400	21,744	
Allowances and contingencies	21,146	22,283	24,511	25,872	25,400	24,181	
				87,552		87,193	
For rounding ...				—552		—193	
Total ...	1,07,046	1,08,731	86,857	87,000	85,000	87,000	
District Executive Establishment—							
Sadar Establishment ...	1,10,267	1,10,466	1,11,640	1,37,580	1,17,000	1,16,970	Budget for 1909-10 included a lump provision of Rs. 25,000 for the revision of the establishment, which has not yet been sanctioned. No provision for this has been made in the budget for 1910-11.
Inspection and prevention	1,90,302	1,93,235	2,03,624	2 31,592	2,08,000	2,27,724	Budget includes smaller provision for temporary establishment.
Allowances, etc. ...	1,23,891	1,42,246	1,60,279	1,58,673	1,64,000	1,51,600	Budget includes smaller provision for grain allowance, while larger provision has been made for travelling allowances.
Bonus	.....	.. ...	2,947	.....	..	..	
				5,27,845		4,96,294	
Probable savings ...				—28,845		—1,294	
	4,23,460	4,45,947	4,78,490	4,99,000	4,89,000	4,95,000	
Distilleries—							
Presidency establishment ...	10,650	11,580	11,885	14,000	12,000	—13,000	
District establishment ...	1,16,781	1,22,988	1,23,586	1,40,000	1,72.000	1,95,000	Budget includes Rs. 15,000 for the increase in the pay of ministerial officers, and Rs. 32,000 for temporary establishment in connection with the extension of the contract distillery system in the districts of the Patna and Tirhut Divisions. Revised includes larger expenditure on petty construction and repairs in connection with the construction of warehouses in Bihar.
Bonus	... ..	.....	373	...		.....	
GRAND TOTAL ...	7,48,120	7,73.049	7,85,537	8,30,000	8,44,000	8,83,000	Revised based on nine months' actuals.
Provincial share ...	3,71,560	3,86,524	3,92,768	4,15,000	4,22,000	4,42,000	

8.—Provincial Rates—

HEADS.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	REMARKS.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Collection of rates and cesses...	1,56,311	1,19,052	1,26,370	1,35,000	1,30,000	1,71,000	Budget includes Rs. 48,000 for the increase in the pay of ministerial officers.
Valuation and revaluation ...	91,136	80,323	30,395	36,000	31,000	42,000	Do. based on actual requirements.
Total ...	2,47,447	1,99,375	1,56,765	1,71,000	1,61,000	2,13,000	
Deduct—Proportion debitable to Local for cost of road-cess collection ...	1,65,468	1,46,504	1,09,452	90,000	1,08,000	1,14,000	
„ —Proportion debitable to Local for revaluation				24,000		28,000	
„ —One-third share of recoveries on account of collection of arrear cesses	19,321	1,092	589	1,000	1,000	1,000	
„ —Contribution for pension of the cess-collecting establishment ...	6,874	6,497	6,639	7,000	7,000	7,000	
Add—Grant to District Road Funds as Government share of the cost of collecting public works cess and revaluation charges	.....	.....	1,344	1,000	1,000	1,000	
Total ...	55,784	45,282	41,429	50,000	46,000	64,000	

10.—Assessed Taxes—

Calcutta Establishment ...	86,907	85,050	89,635	93,000	89,000	91,000	Budget for 1909-10 included a lump provision of Rs. 3,000 for the revision of establishment, which has not been sanctioned. No provision has been made on this account in the budget for 1910-11.
District ditto ...	63,323	68,011	69,686	71,000	66,000	72,000	
Bonus ...	.....	.....	682	.....	.....	.....	
Total ...	1,50,230	1,53,061	1,60,003	1,64,000	1,55,000	1,63,000	
„ [illegible] share ...	75,115	76,531	80,002	82,000	78,000	82,000	

11.—Forests—

A.—Conservancy and Works.							
I.—Timber and other produce removed from the forests by Government agency ...	28,589	16,672	8,072	7,700	7,100	7,200	
II.—Timber and other produce removed from the forests by consumers and purchasers	91,985	96,646	94,775	98,500	96,300	1,00,000	
III.—Confiscated drift and waif wood	620	1,742	804	1,300	1,300	1,300	
V.—Rent of leased forests, and payment to shareholders in forests managed by Government	27,030	5,900	5,227	6,000	.....	20,000	This is for payment to the Raja of Porahat on account of the profits of the Porahat forests.
VI.—Live-stock, stores, tools and plant ...	14,529	26,079	41,353	9,900	13,400	16,000	Budget includes provision for a new steam-cutter for the Sundarbans.
VII.—Communications and buildings ...	76,116	70,735	64,347	77,900	70,400	98,800	Budget includes provision for the completion of the Forest School building at Kurseong, for the construction of a rest-house near the Ghish river in the Tista Division, for a house for the Divisional Forest Officer, Chaibassa, and a new Forest office, Sambalpur.
VIII.—Demarcation, improvement and extension of forests ...	82,645	1,74,109	70,717	44,900	50,600	54,100	
IX.—Miscellaneous ...	7,436	4,322	4,089	5,400	5,400	5,600	
Total A.—Conservancy and Works	3,27,940	3,95,605	2,79,384	2,51,000	2,44,500	3,02,000	
B.—Establishment.							
I.—Salaries	2,43,241	2,46,749	2,33,092	2,61,500	2,68,800	2,93,200	Budget includes provision for the full sanctioned scale of superior officers and establishment, and for the reorganisation of the office establishment.
II.—Allowances ...	48,836	60,709	61,094	62,800	56,000	57,000	
III.—Contingencies ...	12,472	10,331	10,411	11,700	11,700	12,800	
Total B.—Establishment ...	3,04,549	3,17,789	3,04,597	3,36,000	3,36,500	3,63,000	
Total A and B ...	6,32,489	7,13,394	5,83,981	5,87,000	5,81,000	6,65,000	Revised based on the actuals of the first nine months.
Provincial share ...	3,16,244	3,56,697	2,91,991	2,93,000	2,90,000	3,32,000	

12—Registration—

HEADS.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	REMARKS.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Superintendence	48,863	47,180	51,638	51,000	54,000	51,500	
District Charges—							
Calcutta	30,644	30,923	30,266	32,000	30,000	30,000	Budget includes smaller provision for temporary establishments and grain allowance.
District Sub-Registrars ...	1,60,306	2,50,937	2,01,918	1,83,000	1,89,000	1,57,500	
Sub-Registrars	4,01,003	4,21,880	5,24,730	5,56,000	5,06,000	5,71,500	Budget includes provision for a larger number of Sub-Registrars and for additional temporary establishments, with reference to probable requirements.
Ex-officio Sub-Registrars ...	1,872	1 233	2,907	2,000	2,000	2,500	
Bonus	.....	.....	3,528	.....	.....	.....	
Total District Charges ...	5,93,824	7,04,973	7,63,339	7,73,000	7,27,000	7,61,500	
GRAND TOTAL ...	6,42,687	7,52,153	8,14,977	8,24,000	7,81,000	8,13,000	Revised based on the actuals of the first nine months. Savings are expected under grain allowance and contingencies.

13.—Interest on Ordinary Debt—

Interest on Provincial Advance and Loan Account ...	2,36,226	3,02,281	4,92,409	6,92,000	6,21,000	5,68,000	Both the revised and the budget are based on the estimated mean outstanding balances of loans.

18.—General Administration—

Salary of Lieutenant-Governor	1,01,341	98,116	96,663	96,000	96,000	96,000	
Staff and household of Lieutenant-Governor ...	1,19,844	1,29,591	1,16,508	1,05,000	1,15,000	1,09,000	Revised includes Rs. 10,000 for the cost of furnishing a new guest-house erected in the compound of Government House, Darjeeling.
Tour and establishment grant of Lieutenant-Governor ...	50,000	59,182	68,107	50,000	50,000	50,000	
Tour expenses	1,927	4,128	761	3,000	1,000	2,000	
Legislative Department ...	76,693	80,273	96,262	1,07,000	1,02,000	1,29,000	Budget includes a lump provision of Rs. 12,000 for the additional establishment required in connection with the enlargement of the Council, and also larger provision for travelling allowances owing to the increased number of non-official members.
Civil Secretariat	6,13,470	6,38,266	6,30,509	6,58,000	6,36,000	6,66,000	Savings in the revised is under "Allowances and Contingencies". Budget includes Rs. 32,000 for the reorganization of the Secretariat offices and Rs. 22,000 for temporary establishment in the record-room for copying old records for the Secretary of State, and for arranging the record-room. It also includes larger grants for establishment in the Bengali Translator's office for the translation of Acts, etc., for the Legislative Department of the Government of India.
Lump provision for Executive Council	.....	.....	.....	.....	8,000	2,00,000	
Board of Revenue	3,13,933	3,08,648	3,14,891	3,04,000	2,89,000	2,48,000	Savings in the revised is under "Establishment" and "Allowances." A saving of Rs 50,000 has been taken in the budget owing to impending changes.
Commissioners	5,13,084	4,73,721	4,93,535	5,08,000	5,25,000	5,07,000	The increase in the revised is due to larger payments of salaries and contingencies against savings under "Establishment Charges."
Civil Offices of Account and Audit	47,845	83,618	89,558	1,01,000	97,000	95,000	
				19,32,000			
Lump Deduction ...	.....	.....	.....	22,000	.....	.....	
Total ...	18,41,137	18,73,543	19,06,794	19,10,000	19,19,000	21,02,000	Revised based on the actuals of the first nine months.

9A.—*Courts of Law*—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
High Court—							
Judges	7,15,119	7,17,422	7,50,808	7,53,000	7,20,000	7,53,000	The full sanctioned staff has been provided for.
Original Side	2,73,431	2,73,333	2,78,408	2,78,000	2,89,000	3,12,000	Budget includes provision for a Registrar of Insolvency and his establishment and for larger grant for municipal taxes owing to increase of assessment.
Appellate Side	2,78,963	2,91,115	3,00,795	3,08,000	3,09,000	3,17,000	Budget includes provision for temporary establishment for an Additional Judge and for the sorting, etc, of the judicial records of the Court.
Copyists' Establishment ...	51,768	43,414	41,903	44,000	47,000	46,000	
Reporters	24,972	26,185	24,892	25,000	25,000	26,000	
Bonus	.....	... ..	1,531	.....	.....	.....	
Total ...	13,44,253	13,51,469	13,98,237	14,08,000	13,90 000	14,53,000	
Law Officers—							
English Law Officers ...	93,658	1,41,765	1,29,330	1,38,000	1,28,000	1,33,000	Decrease in the budget is on account of smaller provision for charges for conducting law-suits.
Legal Remembrancer and High Court Pleaders ...	89,777	1,28,541	2,61,029	1,30,000	3,16,000	1,52,000	The increase in the revised is due to the larger payments of fees to Pleaders and Counsel in the High Court. Budget includes provision for the salary, travelling allowances and contingencies of the Lady Legal Adviser to *pardanashin* ladies.
Mufassal Establishment ...	2,21,200	1,85,115	6,42,432	2,00,000	3,70,000	2,25,000	The increase in the revised is for special charges in connection with the prosecution of anarchist cases.
Bonus	.....	...	116	.....	.. ...	.....	
Total ...	4,04,635	4,55,421	10,32,907	4,68,000	8,14,000	5,10,000	Budget based on normal probable requirements, excluding special unforeseen charges.
Coroner's Court	7,839	7,565	7,797	8,000	8,000	8,500	
Presidency Magistrates—							
Calcutta Police Court ...	1,07,908	1,18,016	) (	1,09,000	1,13,000	1,11,000	Budget includes provision for the house allowances of the Officiating Chief Presidency Magistrate and the 2nd Presidency Magistrate

Subordinate Judge ...	4,41,962	4,33,972	4,33,449	4,23,892	4,26,000	4,24,690	
Mufassal Small Cause Courts	18,184	17,238	16,420	13,128	16,500	12,864	
Munsifs	10,28,166	10,26,466	10,42,673	10,19,106	10,13,000	10,14,608	The budget for 1909-10 included provision for the regrading of Munsifs, which has not been sanctioned.
Allowances	93,965	1,23,722	98,033	1,10,000	68,000	63,600	The decrease is due to a smaller provision under grain allowances.
Supplies and Services ...	2,76,985	2,96,791	3,16,960	3,09,292	3,80,000	3,24,295	Larger remuneration to copyists and for a special provision of Rs. 10,000 for the purchase of fire extinguishing appliances for Civil Courts.
Contingencies	91,776	95,755	1,06,157	1,06,315	1,23,000	1,15,997	Budget includes a larger grant for rents rates and taxes, special provision of Rs. 1,200 for the purchase of an iron safe for the District Judge, Burdwan, and an additional grant for contingencies for the District Judge, Sambalpur.
Process-serving Establishment...	4,54,542	4,73,500	5,08,417	5,09,262	4,88,500	4,76,314	
Lump provision for the increase of the pay of ministerial officers	.....	.....	... ..	.....	25,000	1,50,000	Budget includes one lakh for 1910-11 and Rs. 50,000 for arrears of 1909-10.
Bonus	.....	.....	17,789	.....	.....	.....	
Deduct—Probable savings ...	.....	... .	.....	(—)18,617	... .	(—)6,112	
Total ..	32,70,706	33,28,565	33,99,408	33,53,000	34,30,000	35,07,000	
Presidency Court of Small Causes	1,71,625	1,58,623	1,68,747	1,72,000	1,69,000	1,72,000	
Criminal Courts—							
General establishment ...	18,26,436	18,50,939	19,63,055	19,50,000	19,84,000	20,14,000	Budget includes provision for eight new Joint Magistrates by promotion of Assistant Magistrates and Additional Deputy and Sub-Deputy Collectors. Also larger provision for establishments and for rewards to sardars in the Khondmahals and sarbarkars in Angul.
Subdivisional establishment ...	1,08,252	1,13,627	1,17,695	1,16,000	1,17,000	1,13,000	
Process-serving establishment	99,560	1,01,114	1,02,526	1,06,000	98,000	1,27,000	Half of the total charge is debited here instead of two-fifths as previously.
Tributary Mahals, Orissa ...	1,472	1,815	1,230	... ..	1,000	.....	
Lump provision for the increase of the pay of ministerial officers	.....	.....	.....	.....	25,000	1,50,000	Budget includes one lakh for 1910-11 and Rs. 50,000 for arrears of 1909-10.
Bonus	... ..	.....	2,556	.. ...	... .	.....	
Total ..	20,35,720	20,66,895	21,87,062	21,72,000	22,25,000	24,03,000	
Pleadership Examination charges	13,338	13,098	15,363	14,000	15,000	18,000	
Refunds	63,285	55,233	50,534	55,000	1,31,000	63,000	Revised includes the refund of Rs. 57,000 paid to the Calcutta Corporation of the amount recovered from that body on account of the cost of the establishment and contingencies of the Municipal Magistrate's Court from April 1901 to December 1907, and provision for the larger refunds of criminal fines.
Lump provision for the increase of the pay of ministerial Establishments	.....	.....	.....	2,40,000	.....	.....	Provided for under respective minor heads.
				80,07,000	.....	.....	
Lump deduction for probable savings	.....	... ..	.....	87,000	... .	(—)500	
Total ...	74,09,956	75,61,397	83,76,876	79,20,000	83,04,000	82,43,000	

9B.—*Jails*—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Superintendence	57,840	59,887	59,300	57,000	52,000	58,000	Saving in the revised is on account of the appointment of an officer as Inspector-General on less pay. Budget includes Rs. 2,000 for the revision of establishment.
Establishments—							
Superintendents and Jailors ...	1,89,563	1,86,628	2,03,953	2,07,000	2,26,000	2,31,000	Increase due to the reorganisation of the Jailors' Service.
Medical establishment ...	30,522	30,760	32,554	30,000	29,000	31,000	
Clerical, educational and mechanical establishments	220	456	344	6,000	5,000	19,000	Increase due to the provision of establishments to relieve Medical Officers of clerical work.
Warder establishment ...	1,64,290	1,68,366	1,92,657	2,08,000	2,21,000	2,28,000	Budget includes provision for extra warders in Central and District Jails, as well as for the appointment of circle reserve guards.
Menial and other establishments	10,322	10,479	9,144	11,000	7,000	6,000	The decrease is due to a smaller provision for temporary establishment.
Dietary charges	7,56,490	7,82,701	8,45,741	7,48,000	8,03,000	7,55,000	Provision made for an increased number of prisoners.
Hospital charges	67,698	72,444	75,142	72,500	70,000	80,000	Estimate based on local requirements.
Clothing and bedding of prisoners	54,991	76,455	85,577	68,000	90,000	85,000	Estimates based on actuals.
Sanitation charges	28,230	36,529	36,650	33,600	34,000	37,000	
Charges for moving prisoners ...	44,336	38,814	50,337	43,000	52,000	50,000	
Miscellaneous services and supplies	1,06,134	87,186	1,12,129	1,35,800	1,17,000	1,15,000	
Allowances	27,506	37,876	39,217	38,000	33,000	21,000	Smaller provision made for grain allowance.
Contingent charges ...	34,091	36,394	43,313	37,000	54,000	55,000	Increase due to provision for the new Juvenile Jail and larger grants for rates and taxes on Central Jails.
Extraordinary charges for live-stock and tools and plant ...	41,780	23,186	33,671	29,000	27,000	34,000	Estimate based on local requirements.
Charges for police custody ...	13,397	14,905	21,998	15,000	21,000	22,000	Estimate based on actuals.
Bonus	.....	.....	4,369	.....	.....	.....	
Lump provision for the new Presidency Jail	.....		.....	.....	69,000	1,39,486	
For rounding ...	.....		.....	+100	.....	—486	
Total Jail ...	16,27,400	16,63,066	18,46,996	17,39,000	19,10,000	19,66,000	
Jail manufactures	10,36,024	10,33,786	9,24,423	9,61,000	8,90,000	9,05,000	The decrease is in proportion to the decrease under "Receipts."
Refunds	12	100	4	.....	.....	.....	
Total ...	26,63,436	26,96,952	27,70,423	27,00,000	28,00,000	28,71,000	Revised based on the actuals of the first nine months.

							Police, two posts of Superintendents being simultaneously abolished.
Calcutta Police	9,74,221	9,91,251		10,65,000		11,26,000	Budget includes a lump provision of Rs. 34,640 for additional Beat Police to be entertained in 1910-11 and Rs. 37,568 for the force already employed for the purpose during 1909-10.
Hospital charges ...	22,038	32,970	11,04,079	30,000	11,77,000	32,000	
Special Police	51,032	16,007		40,000		41,000	
Cattle pounds	2,330	1,426		2,000		2,500	
River Police	14,624	2,615	34,244	22,000	18,000	22,000	
Salt Police	449	.....	.....	.....	.....	.....	
Police Dead-house ...	1,352	1,695	1,756	1,500	2,000	1,700	
Bonus	.....	.....	3,129	.....	.....	.....	
For rounding ...	.....	.....	.....	—500	.....	—200	
Total ...	11,34,376	11,12,959	12,26,772	12,33,000	12,84,000	13,22,000	
Municipal Police	54,605	65,793	7,410	.....	.....	.....	This is now included under "District Police Force."
Superintendence	2,28,772	2,29,127	3,08,908	2,28,000	2,45,000	2,26,000	Increase in the revised is for the appointment of officers on special duty. The decrease in the budget is under "Hill journey allowances."
District Police Force—							
Salaries	4,61,750	4,78,864	5,38,400	5,80,000	5,82,000	6,04,000	Increase due to the promotion of District Superintendents and Deputy Superintendents and also for six new Assistant Superintendents.
Police Force	30,27,830	31,93,949	33,79,063	34,95,000	34,32,000	36,20,000	Budget includes provision for the recruitment of two armed inspectors, 30 sub-inspectors and for an increment of a rupee to 9,850 constables.
Training Schools	1,47,147	1,27,283	1,37,290	1,40,000	1,29,000	1,36,000	Decrease due to transfer to District Police Force.
Establishment	1,08,372	1,09,399	1,11,380	1,52,000	1,46,000	1,40,000	
Hospital charges	42,451	45,632	50,185	48,000	54,000	48,000	
Allowances	5,27,688	8,34,968	8,61,780	9,00,000	6,8 ,000	7,26,000	The decrease is for smaller provision for grain allowance.
Supplies and services ...	5,81,444	5,23,948	5,94,772	4,87,000	5,95,000	6,51,000	Budget includes provision of Rs. 58,500 for a new steam-launch and larger provision for the construction of quarters for sub-inspectors.
Contingencies	1,72,131	1,78,897	2,00,028	2,55,000	2,00,000	2,53,000	
Other Police	28,380	26,062	39,917	12,000	53,000	16,000	Revised includes special police in the 24-Parganas.
Bonus	.....	.....	43,963	.....	.....	.....	
Lump provision for reorganisation		.....	.....	2,65,000	.....	28,000	The budget allotment for 1909-10 has been reappropriated to meet the charges of the Criminal Investigation Department II. and the Beat Police, Calcutta. The balance has been utilized to meet increases under "Salaries" and "Force of the District Police" and "Petty construction and repairs."
Total ...	50,97,193	55,09,002	59,56,768	63,34,000	58,71,000	62,22,000	

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs	Rs.	Rs.	Rs.	Rs.	Rs	
Village Police	40,949	41,463	45,073	47,000	43,000	45,000	
Criminal Investigation Department	73,848	1,20,918	1,73,604	1,92,000	2,53,000	3,19,000	Increase due to the reorganisation of the Criminal Investigation Department.
Special Police—							
Bengal Military Police ...	55,761	60,955	62,468	64,000	62,000	64,000	
Sikkim State Police ..	1,800	.....	.....	...	.....	.. ...	
Upper Burma Police Depôt ...	4,841	8,987	5,514	6,000	6,000	6,000	
Bonus	.....	...	659	.....	.. ...	.....	
Total ..	62,402	69,942	68,641	70,000	68,000	70,000	
Railway Police—							
East Indian Railway Police ...	62,542	74,496	89,812	99,000	83,000	99,000	
Eastern System Railway Police	1,18,672	1,29,676	1,00,396	1,18,000	1,10,000	1,10,000	No provision made for any additional force, while smaller provision has been made for grain allowance.
Bengal and North-Western and Tirhut State Railway Police	13,933	17,353	21,131	25,000	22,000	28,000	
Bengal-Nagpur Railway ...	17,061	21,539	24,661	30,000	24,000	31,000	
Cooch Behar Police ...	—578	.....	... ..	.....	.....	... ..	
Oudh and Rohilkhund Railway Police	.....	3	.....	.....	.....	.....	
Total ..	2,11,570	2,43,067	2,36,000	2,72,000	2,39,000	2,68,000	
Cattle-pounds	1,189	—161	1,316	1,000	1,000	1,200	
Refunds	538	1,246	1,382	1,000	2,000	1,800	

21.—Ports and Pilotage—

Salaries and allowances of officers and men afloat	75,511	85,985	1,10,760	92,000	1,00,000	93,000	
Victualling of officers and men afloat	27,104	26,278	31,360	34,000	32,000	33,000	
Purchase of marine stores and coal for the building, repairs and outfit of ships and vessels	1,31,077	1,49,993	1,48,452	1,70,000	1,17,000	2,10,000	Budget includes Rs. 57,000 for the purchase of new boilers for the S.S. *Guide*.
Purchase and hire of ships and vessels	9,770	21,642	10,30,794	28,000	9,000	20,000	The actuals of 1908-09 represented the cost of the second pilot steamer *Lady Fraser*. Revised represents the cost of towing the State yacht *Rhotas* during His Honour's river tour
Pilotage and Pilot establishment	7,76,397	7,52,741	7,50,778	7,55,000	7,32,000	7,62,000	Budget provides for larger allowances to pilots in anticipation of increased shipping.
Marine establishment ...	1,02,949	1,08,996	1,20,990	1,07,000	1,02,000	1,15,000	Budget includes Rs. 1,505 for the house allowances of the Deputy Shipping Master and Assistant Port Officer, Rs. 955 for the house allowance of the Assistant Shipping Master, Kidderpore, and Rs. 4,305 for the house allowance of the Surveyor and Assistant Surveyors of steam vessels at Calcutta.
Subsidies to Steam-boat Companies	18,629	15,150	21,600	20,000	20,000	20,000	
Miscellaneous	24,996	27,938	39,263	29,000	27,000	31,000	Budget includes Rs. 2,000 for repairs to leadsmen's quarters. The actuals of 1908-09 included a special payment of Rs. 11,000 to the Orissa Ports Fund in order to make good the deficit.
State Yacht establishment ...	6,059	6,094	5,386	7,000	5,000	7,000	
Refunds	2,461	2,066	2,734	2,000	4,000	2,000	
Total ...	11,74,053	11,95,783	22,62,057	12,44,000	11,48,000	12,93,000	Revised based on the actuals of the first nine months.

2.—Education.—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	
University	80,754	93,103	98,469	.....	60,000	80,000	Both the revised and budget include the special grants sanctioned by the Government of India.
On account of Law College ...	.....	.....		4,000	24,000	3,500	Revised represents the special grant of Rs. 20,000 sanctioned by the Government of India for Law Colleges and of Rs. 3,500 from provincial revenues. Budget provides for the Local Government grant for Law Colleges
Direction	1,20,521	1,23,210	1,13,773	1,12,000	1,12,000	1,17,500	Budget provides for the additional establishment employed for the reconciliation of the figures of education expenditure.
Inspection—							
Inspectors of European schools	23,141	31,978	34,666	25,100	25,300	21,600	Budget for 1909-10 included provision for an Auditor of European Schools who will not be required in 1910-11.
Inspectors of other schools ...	4,41,561	5,95,280	7,30,683	6,91,000	7,50,000	7,91,000	Increase due to the appointment of additional inspectors with their establishment and contingencies and travelling allowances. Lump provision of Rs. 17,880 has been made for the regrading of the sub-inspectors transferred from District Boards to Government Service.
Lump provision for house allowance of Inspecting Officers in Calcutta ...	.....	.. ...	.....	1,500	.. ...	3,000	Provision made for two officers.
Inspector of hostels and students' messes ...	.....	.....	1,571	400	2,700	400	
Inspector of Technical School and of Industries ...	.....	.....	...	.....	.....	17,000	Salary Rs. 12,000 and travelling allowance and establishment, etc., Rs. 5,000.
Bonus	...	.....	3,542	.....	.....	.. ..	
Total ...	4,64,702	6,27,258	7,70,462	7,18,000	7,78,000	8,33,000	
Government Colleges, General—							
English Colleges—							
Arts Colleges for boys ...	3,77,383	4,45,902	4,76,152	4,44,000	3,99,000	4,70,000	The decrease in the revised is due to savings under "Salaries." Budget includes provision for additional professors, and for house allowance and local allowance of professors.
Ditto for girls ...	47,786	52,042	42,579	27,000	25,000	27,500	
Eden Hindu Hostel ...	33,169	33,908	33,541	35,000	32,000	34,000	
Provision for house allowance of professors in Calcutta ...	.....	.....	.. .	4,000	.....	.....	
For strengthening the staff of Colleges	... ..	.....	.....	45,000	45,000	87,000	
Oriental Colleges—							
Sanskrit College	48,263	45,926	38,170	33,000	30,000	23,000	Decrease in the budget is due to a smaller provision for the salary of the Principal, owing to the appointment of an officer on lower pay and to the omission of provision for improvement.
Calcutta Madrassa ...	53,074	52,891	37,293	51,000	14,000	43,000	Saving in the revised is owing to the adjustment of the charges of the Arabic Department under "Schools—General." Budget includes smaller grant for salaries, since the present Principal does the work in addition to his own

Government Colleges, Professional—							
Law Colleges	3,840	3,433	714	20,000	20,000	25,000	Budget includes Rs. 5,000 for improvements in the library of the Patna College.
Civil Engineering College, Sibpur, Howrah ...	2,71,514	3,28,113	3,40,334	3,40,000	3,33,000	3,15,000	No provision has been made for a Mining course and Mining models, while the grant for boarding charges has been reduced from Rs. 42,000 to Rs. 34,000. The saving in the revised is under boarding charges.
Training Colleges for teachers	3,188	4,464	48,294	53,000	52,000	44,000	Budget based on actual requirements.
Bonus	.....	.....	239	.....	.....	.....	
Total ...	2,78,542	3,36,010	3,89,581	4,13,000	4,05,000	3,84,000	
Government Schools, General.							
District School Committees ...	1,772	1,824	1,850	1,900	2,000	1,900	
Secondary Schools—							
For Boys—							
High Schools	4,01,991	4,01,116	441,393	4,91,500	4,70,000	4,87,000	
Middle English Schools ..	89,216	93,162	96,050	96,000	90,000	97,600	
Middle Vernacular Schools	10,189	23,040	11,600	12,800	11,000	11,600	
Anticipated expenditure from interest and surplus funds of the Uttarpara Net-grant School	....	... .	.....	2,372	.....	190	
For Girls—							
High Schools	.....	.....	12,844	29,000	25,000	24,000	Smaller expenditure for salaries and boarding charges. The actuals of 1906-07 and 1907-08 were shown under Government Colleges—General, Bethune College.
Middle English Schools ...	59,093	61,633	57,504	57,000	55,000	54,300	Smaller provision for boarding charges.
Middle Vernacular Schools	.....	.....	32	.....	.....	.....	
Primary Schools—							
For Boys—							
Upper Primary Schools ...	.....	5,506	4,759	2,900	3,000	3,200	
Lower Primary Schools ...			296				

2.—*Education*—concld.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Primary Schools—*concld.*							
For Girls—							
For subsidizing model Primary Schools ...	4,252	.....	.....	24,000	...	26,400	
Upper Primary Schools ...		.....	2,868	4,000	8,000	4,700	
Lower „ „ ...		...	3,709	8,900	12,000	11,000	Budget includes larger grant for supplies and services.
Circle School grant ...	12,873	14,317	15,464	14,300	14,000	15,400	
Payment in support of local schools under District Boards	.....	.....	5,72,818	5,45,000	5,80,000	5,89,000	This represents the grant to District Boards to establish equilibrium.
Bonus	.....	.....	3,930	...	...	.....	
Training of gymnastic masters	.....	.....	.....	3,000	.....	3,000	
Encouragement of Athletic Clubs	.....	.....	.....	1,500	.....	2,500	
Provision for the opening of B and C Classes in certain High Schools	....	.....	.....	10,000	.....	10,000	
Agriculture classes ...	3,360	.....	.....	.....	.....	.....	
Petty construction, furniture and apparatus	10,084	...	.....	.....	.....	.....	
				13,04,172		13,41,490	
For rounding ...	.....	.....	.....	—15,172	.....	—490	
Total ...	5,92,829	6,00,598	12,25,107	12,89,000	12,70,000	13,41,000	
Government Schools, Special.							
Training Schools—							
For Masters—							
Normal Schools ...		2,05,332	2,30,214	78,000	76,000	81,100	Increase is due to the payment of larger stipends in first grade schools, and to larger grants for rates and taxes.
Guru-training Schools ...		1,31,109	3,88,513	6,06,000	4,54,000	4,79,000	Decrease in the revised is owing to reduced expenditure on the construction of Guru-training school buildings. Budget includes provision of one lakh for the completion of the buildings under construction, and smaller grant for stipends to pupils.
For Mistresses—							
Training School attached to Kurseong Boarding School		.....	9,673	12,000	12,000	13,800	
Training Schools for females at Bankipore and Calcutta	1,43,368	.....	.....	22,200	17,000	24,300	Bankipur Rs. 17,300, and Calcutta Rs. 7,000.
Allowance for School-masters' wives ...		.....	.....	2,500	1,500	2,500	

Reformatory School ...	63,000	61,048	1,01,054	1,06,000	1,00,000	1,10,000	Includes provision for an increased grant for dietary charges.
Other miscellaneous schools ...	.....	.....	1,079	14,316	2,000	14,976	
Agricultural classes and agricultural gardens	.....	4,189	5,116	9,000	2,000	9,000	
Grant for Muhammadan Female education in Patna ...	.....	.....	.....	2,000	.....	2,000	
Grant for Athletic Clubs ...	.....	.....	.....	500	.....	500	
Petty construction, furniture and apparatus	53,399	.....	.....	.....	.....	.....	
Bonus	.....	.....	2,254	.....	.....	.....	
				10,77,116	.....	9,62,676	
Deduct—Probable savings ...	.....	.....	.....	76,116	.....	—676	
Total ...	3,97,670	5,46,328	8,93,001	10,01,000	8,66,000	9,62,000	
Grants-in-aid	10,60,973	13,33,148	11,18,071	11,00,000	11,73,000	11,80,000	
Scholarships	1,55,310	1,71,211	1,86,054	1,86,000	2,08,000	2,00,000	Budget includes a provision for the title course in the Calcutta Madrassa and for new English scholarships in the Calcutta and Hooghly Madrassas, and special scholarships to Uriyas.
Miscellaneous	1,06,547	83,393	98,696	1,04,000	1,02,000	1,31,000	Budget includes provisions of Rs. 1,080 for the rent of a house taken for a hostel for Uriya B.L students and for allowances to the Superintendent, of Rs. 2,000 for the preparation of a manual for muktabs and translation of text-books in the aboriginal vernaculars, of Rs 2,700 for allowance &c., to the Advisory Committee for Indian students, of Rs 10,500 for allowances to Medical Officers attending hostels and other educational institutions by transfer from Medical, of Rs. 15,800 for the preparation, translation and editing of Government model text-books for vernacular schools, and of Rs. 9,200 for the preparation, translation and editing of science text-books.
Refunds	4,319	3,081	3,806	3,000	2,000	3,000	
			.....	55,74,000	.....	59,17,000	
Lump deduction as probable savings	.....	.....		17,000	.....		
Total ...	38,50,750	45,53,592	55,28,726	55,57,000	55,50,000	59,17,000	

24.—Medical—

Medical Establishment—							
Superintendence ...	71,003	69,416	68,793	76,000	75,000	76,000	
District Medical establishment	4,97,071	4,96,683	4,80,952	5,50,000	4,81,000	5,65,000	Decrease in the revised is due to the non-utilization of the lump provision of Rs. 50,000 for the improvement of the pay of Civil Medical Assistants. Budget includes Rs. 32,520 on this account and Rs. 41,000 for the improvement of the prospects of Assistant Surgeons.
Reserve Medical Officers and Subordinates	17,427	11,809	15,891	20,000	12,000	18,000	
Bonus	.....	.....	823	.....	.....	.....	

24—*Medical*—concluded.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals	Actuals	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Hospitals and Dispensaries—							
Presidency Hospitals and Dispensaries—							
Medical College Hospital ...	2,11,519	2,41,498	2,72,557	2,70,000	2,67,000	3,46,000	Budget includes provision for the additional establishment and equipments required for the new Surgical Block and also for Chuni Lal Seal's Dispensary of which the charges have for the first time been included here.
General Hospital ...	2,25,131	2,16,924	2,24,496	2,45,000	2,38,000	2,52,000	Saving in the revised is under "Supplies and Services." Budget includes a larger grant for taxes owing to enhanced assessments.
Campbell Hospital ...	92,900	93,221	1,05,233	1,13,000	1,27,000	1,30,000	The increase in both the revised and budget is due to the inclusion of the pay of the Deputy Superintendent here instead of under "Medical Schools" and to a larger establishment for the small-pox ward. The increase in the budget is also due to larger grants for clothing, and cost of electric current.
Albert Victor Asylum for Lepers	22,027	23,812	29,842	30,000	31,000	32,000	The increase is due to larger grants for the diet of patients.
Mufassal Hospitals and Dispensaries	56,132	68,390	82,207	86,000	84,000	67,000	The decrease in the budget is due to larger recoveries from Municipalities and District Boards for officers lent to them and to the transfer of the charge for allowances to officers attending Government hostels and educational institutions to the head "Education"
Grants to Mufassal Hospitals and Dispensaries ...	1,62,678	1,41,792	1,27,715	1,55,500	1,28,000	1,21,500	Saving in the revised is due to the non-utilization of the whole amount provided for unforeseen requirements. The decrease in the budget is due to smaller provision for new grants.
Medical charges in connection with the Inland Labour Transport Fund ...	.....	.....	205	1,500	1,000	1,500	
Bonus	.....	..	2,041	.....	.....	.....	
Total ...	7,70,387	7,85,637	8,44,296	9,01,000	8,76,000	9,50,000	
Sanitation and Vaccination ...	2,32,052	2,32,797	2,51,854	2,80,000	2,58,000	2,33,000	The decrease in the revised is due to the non-utilization of the grant for the improvement of the Sanitary Department. No provision has been made in the budget for this. Budget includes provision for the Inspector of Septic Tank Installations, one Inspector of Vaccination and two Sub-Inspectors.
Grants for Medical purposes—							
Expenses during the prevalence of plague ...	81,724	88,247	64,326	90,000	35,000	48,500	

							decrease in both the revised and budget.
Medical Schools and Colleges—							
Medical Colleges ...	2,22,712	2,21,904	2,53,462	2,88,000	2,69,000	2,70,000	The decrease in the budget is due to no provision having been made for serological tests conducted by Major Sutherland who finished his enquiries in November 1909. Budget includes Rs. 2,000 for Beri-Beri enquiry.
Medical Schools ...	1,18,375	1,29,144	1,23,247	1,33,000	1,24,000	1,26,000	The decrease is due to the transfer of the pay of the Deputy Superintendent from here to the Campbell Hospital, and for smaller provision for scholarships.
Bonus	.....	.....	319	.....	.....	.....	
Total ...	3,41,087	3,51,048	3,77,028	4,21,000	3,93,000	3,96,000	The decrease in the revised is mainly under "Salaries."
Lunatic Asylum	1,31,771	1,47,751	1,54,280	1,56,000	1,46,000	1,58,000	The saving in the revised is chiefly under "Salaries." The increase in the budget is due to larger grants for diet and clothing.
Special Hospital	11,143	11,671	11,805	12,500	12,000	12,500	
Chemical Examiner ...	38,312	45,303	55,798	66,000	47,000	57,500	The decrease in the revised is due to savings under "Salaries," owing to the appointment of officers on lower rates of pay, and a reduction in the number of probationers. Budget includes provision for one probationer.
Refunds	2,037	1,296	1,945	1,000	1,000	1,000	
Lump deduction for probable savings	.....	.....	.....	25,84,000 64,000	.....	.....	
Total	21,96,763	22,41,779	23,28,034	25,20,000	23,39,000	25,16,000	

25.— Political—

Political Agents	29,971	35,265	35,295	43,000	35,000	42,000	The decrease in the revised is owing to savings under establishment, allowances and supplies and services. Budget includes a special provision of Rs. 2,500 for the purchase of an elephant.
Entertainment of Envoys and Chiefs	.....	.....	.....	100	.....	100	
Durbar presents and allowances to Vakils, etc.	6,519	4,585	16,928	6,800	7,000	9,800	The actuals of 1908-09 included special payments in Calcutta.
Miscellaneous	4,758	7,233	181	6,100	4,000	7,100	
Total ...	41,248	47,083	52,404	56,000	46,000	59,000	

26.—Scientific and other Minor Departments.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	
Veterinary and stallion charges	1,16,412	1,65,760	1,69,095	1,92,000	1,62,000	2,04,000	The decrease in the revised is owing to smaller expenditure under "Supplies and Services of the Veterinary College" and savings in the pay of the subordinate staff.
Donations to Scientific Societies	36,000	10,870	11,856	12,000	12,000	11,600	
Experimental cultivation ...	3,24,682	3,38,173	3,77,003	5,00,000	3,41,000	3,89,000	The decrease in the revised is due to the transfer of the grant for fitting up the Agricultural College to the Public Works Department for expenditure by them, to savings in the grant for the home farm, gardens and hostels, etc., and to smaller payments on account of the contribution to the Bihar Indigo Planters' Association, and the deputation of officers on special duty. The Budget includes Rs. 25,000 for fitting up the College.
Cinchona plantation ...	2,21,953	2,07,976	2,61,497	2,80,000	3,66,000	4,27,000	Savings in the revised are due to smaller expenditure on materials. Budget includes two lakhs for the purchase of cinchona bark against Rs. 50,000 provided for in the Budget for 1909-10.
Public exhibitions and fairs ...	14,993	.....	615	3,500	1,000	1,500	
Botanical and other public gardens	1,19,502	1,51,426	1,74,285	2,07,000	1,83,000	1,96,000	The decrease in the revised is due to smaller expenditure on account of the Zoological Gardens, and to the transfer of the charge of the Government House gardens, Calcutta, to the Military Department.
Emigration	22,107	20,467	22,245	22,000	22,000	22,000	
Inspector of Factories ..	24,802	25,489	26,823	50,000	33,000	46,000	The saving in the revised is due to the full provision for an additional Inspector and Medical officer not having been required, and to savings under "Allowances."
Census	1,466	1,492	1,398	1,600	1,500	1,700	
Gazetteer and Statistical Memoirs...	17,812	26,738	34,237	35,700	22,000	8,000	The saving in the revised is owing to the abolition of the Gazetteer office from the 1st September 1909. The Budget provides for the remunerations of the special officers who are writing the remaining Gazetteers.
Registration of railway traffic ...	7,068	7,877	9,372	17,000	10,000	12,000	
Ditto of river-borne traffic	3,132	6,362	3,006	4,700	3,000	4,500	
Provincial statistics ...	28,563	39,378	35,984	44,000	38,000	38,000	The budget for 1909-10 included provision for an Inspector for the supervision of frontier trade registration. No officer has been appointed and no provision is made in the Budget for 1910-11.
Preservation and translation of ancient manuscripts ...	6,920	8,400	9,200	10,000	10,500	10,000	
Examinations	1,355	1,026	466	1,500	1,000	1,000	
Inspector of Mines... ...	508	413	472	500	500	500	
Bacteriology	9,771	13,077	14,542	12,600	10,500	10,200	
Registrar of Co-operative Credit Societies	16,285	32,241	33,239	36,800	31,000	42,000	The saving in the revised is due to the absence of the Registrar on leave, during which the Personal Assistant acted for him. The Budget includes provision for 3 Auditors recently sanctioned.
Inland Labour Transport Fund	.....	.....	23,160	20,000	22,000	23,000	
Miscellaneous (Smoke Nuisance Charges)	.....	17,894	17,836	19,000	18,000	19,700	
Refunds	633	1,104	137	1,100	1,000	300	
Fisheries Department ...	.....	.....	.....	.....	.....	40,000	The Fishery Department was formerly under the charge of a special officer and debited to 33—Miscellaneous. It will now be placed under the Director of Agriculture and shown under this head.
Lump deduction as probable	.....	.....	.....	14,71,000	.....	15,07,000	

29.—Superannuation—

Superannuation and Retired allowances	24,34,609	25,55,207	25,91,845	27,05,000	26,85,000	27,76,000	Provision has been made for normal growth of expenditure.
Compassionate allowances ..	13,606	13,512	13,986	14,000	14,000	14,000	Budget based on actuals.
Gratuities	9,963	10,048	10,425	9 000	9,000	10,000	
Marine Department pensions ...	28,303	12,566	10,469	20 000	11,500	11,000	
Refunds	86	320	431	150	500	500	
Deduct—Probable savings .	.....	.....	...	—150	.....	—500	
Total ...	24,86,467	25,91,642	26,27,146	27,48,000	27,20,000	28,11,000	Revised based on the actuals of nine months.

30.—Stationery and Printing—

Forms Department at the Presidency	63,563	60,811	57,771	66,000	51,000	59,000	The decrease in the revised is due to savings under "Establishment" and "Contingencies."
Stationery purchased in the country ...	33,584	33,140	33,646	35,000	33,000	34,000	
Government Presses ..	4,83,453	5,59,249	5,71,336	6,19,000	5,90,000	6,67,500	The saving in the revised is under piece establishment. The Budget includes provision for more outside printing, a larger grant for overtime charges and for the purchase of machines.
Printing at Private Presses ...	2,715	660	931	1,500	1,000	1,000	
Stationery supplied from Central Stores	7,01,192	8,12,939	6,71,520	6,50,000	6,54,000	6,54,000	The decrease since 1908-09 is due to the non-printing of forms for Eastern Bengal and Assam.
Refunds	695	452	779	500	1,000	500	
Total ...	12,85,202	14,67,251	13,35,983	13,71,000	13,30,000	14,16,000	Revised based on the actuals of nine months.

32.—Miscellaneous—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Miscellaneous charges for the treatment of patients of the Pasteur Institute ...	.....	.....	54	.....	.....	.....	
Charges for search of hidden treasure	.....	.....	96	.....	.....	.....	
Khedda charges	13,853	11,166	11,000	16,000	14,000	12,000	Budget based on actuals.
Travelling allowances to officers attending examinations ...	6,440	7,823	6,217	7,000	6,000	7,000	
Reward for proficiency in Oriental languages, and allowance to the Language Examination Committee	12,955	13,580	7,804	14,000	9,000	10,000	
Cost of books and publications	600	597	611	1,000	1,000	650	
Donations for charitable purposes	1,51,675	1,34,808	1,67,965	1,70,000	1,38,000	1,22,000	The actuals of 1908-09 included a special grant of Rs. 30,000 for the Sailors' Home. The saving in the revised is due to the non-utilisation of the special provision for unforeseen requirements. The Budget includes no provision for new grants.
Charges on account of European vagrants	4,963	6,636	5,690	9,000	7,000	9,000	
Rewards for destruction of wild animals	5,764	7,555	9,980	8,000	9,000	8,000	
Petty establishments ...	2,814	14,413	16,590	46,000	31,000	41,000	The increase since 1909-10 is due to the inclusion of the salary and establishment of the Controller of Office Systems.
Special Commissions of Enquiry	86,982	1,38,116	1,68,253	1,85,000	1,14,000	20,000	The saving in the revised is due to reduced expenditure on the Fisheries Enquiry, owing to the sale of *Golden Crown* in December last, and the discharge of the men employed on the trawler. The Budget provides the usual lump sum for new Commissions of Enquiry if appointed. No provision has been made for the Fisheries Enquiry under this head.
Irrecoverable temporary loans written off	390	2,763	7,885	8,000	1,000	8,000	
Rent, rates and taxes ...	36,790	32,952	32,243	35,000	32,000	35,000	
Contributions	342	4,013	52,519	27,000	8,000	4,500	The budget for 1909-10 included a lump sum of Rs. 20,000 for grants to District Funds which has not been utilized. Smaller provision has been made for 1910-11 under guarantees of telegraph lines.
Miscellaneous and unforeseen charges	5,366	3,069	266	7,000	4,000	1,12,000	Budget includes a provision of Rs. 1,05,000 for unforeseen charges.
Miscellaneous refunds ...	16,776	12,994	97,851	9,000	9,000	9,000	The actuals of 1908-09 included special refunds on account of excess recoveries in connection with the Howrah and Rajapur Drainage advances.
Extraordinary items ...	950	766	4,355	. .	.....	....	
Allotment for petty grants by His Honour the Lieutenant-Governor	.....	.....	.....	.....	....	1,00,000	This allotment was previously provided for under "Civil Works in charge of Civil Officers."
				5,42,000		4,98,150	
Lump deduction as probable savings	.....	.....	.....	15,000		—150	

42.—Irrigation—Major Works—(Working Expenses)—

Productive Works—							
Orissa Canals	3,99,092	4,30,069	4,19,057	4,07,000	4,23,800	4,13,000	
Midnapore Canal ...	1,61,123	1,84,291	2,12,361	1,88,000	1,94,000	1,85,800	
Hijli Tidal Canals	51,493	40,783	46,676	50,000	50,000	46,000	
Sone Canals	5,73,895	7,51,750	6,98,982	6,70,000	6,89,100	6,80,500	
Dhaka Canal	3,304	18,268	20,071	29,000	24,318	24,700	
Deduct—For rounding ...	.....	.....	.....	.....	—218	.....	
Total ...	11,88,907	14,25,201	13,97,147	13,44,000	13,81,000	13,50,000	

43.—Irrigation—Major Works—(Interest on Debt)—

Interest	21,21,310	21,06,966	20,90,527	21,09,000	20,91,000	20,92,000	This is for interest payable to the Imperial Government on capital expenditure on Irrigation Major Works

43.—Minor Works and Navigation—

IN CHARGE OF THE CIVIL DEPARTMENT.							
Embankments under the contract system—							
Establishments ...	5,121	5,094	5,158	5,939	6,000	5,879	
Contingencies	552	1,548	—317	553	500	1,102	
Maintenance charges of the Howrah and Rajapur drainages	4,146	4,197	5,661 142	1,736		1,025	
Refunds	65	1,384	59	100	4,000	.....	
Temporary establishment .	4	... ..	.....	.....		.....	
Travelling allowance .	12	4	.....	25		25	
Grain compensation allowance	311	453	523	450	500	198	
Add—For rounding ...	.....	.....	.. ...	97	.....	—229	
Total in charge of the							

43.—Minor Works and Navigation—concluded.

Heads	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals	Sanctioned estimate	Revised estimate.	Budget estimate	
1	2	3	4	5	6	7	8
	Rs.	Rs	Rs	Rs.	Rs.	Rs	
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.							
Irrigation and Navigation Works.							
Works for which Capital and Revenue Accounts are kept.							
Capital.							
Works in Progress.							
Orissa Canals	18,824	35,532	44,376	91,000	79,500	43,000	This is for the raising of the flood bank of the Pattamundi Canal and for the construction of permanent outlets and new distributaries.
Midnapore Canal	1,444	638	2,529	...	3,000	1,000	
Sone Canals	6,075	424	1,698	6,000	.....	6,000	
Calcutta and Eastern Canals ...	4,89,794	1,46,425	3,32,040	3,96,000	4,87,000	21,200	The revised includes one lakh for land charges in connection with the Uttadanga-Bamanghata Canal. The Budget provision is for the completion of the work.
Madaripur Bhil Scheme ...		1,34,489	1,39,346	3,45,000	3,45,000	3,42,000	
Saran Canals	.....	—425	.. ..	.. ...	.	....	
Total Capital ...	5,16,137	3,16,883	5,19,989	7,78,000	9,14,500	4,17,000	
Revenue.							
Orissa Coast Canal	1,21,111	1,29,606	1,00,366	94,000	96,000	1,09,000	The Budget includes provision for special repairs and silt clearance.
Saran Canal	2,852	2,516	2,488	3,000	3,900	3,000	
Calcutta and Eastern Canals ...	4,42,877	4,46,356	2,84,443	4,09,000	3,58,000	4,79,000	The Budget includes provision for special repairs to the Chitpur lock and increase in the Engineering establishment, owing to smaller capital expenditure.
Madaripur Bheel Scheme ...			22,370	23,000	25,000	12,000	
Total Revenue ...	5,66,840	5,78,478	4,09,657	5,29,000	4,82,900	5,97,000	

Nadia Rivers	1,46,046	1,13,269	1,16,408	1,11,000	1,03,700	1,02,000
Gaighatta and Buxi Khals ...	100	9,706	8,425	500	460	1,500
Total Works for which only Revenue accounts are kept	1,46,146	1,22,975	1,23 843	1,11,500	1,04,160	1,03,500
Works for which neither Capital nor Revenue accounts are kept.						
WORKS IN PROGRESS.						
Eden Canal	31,869	31,113	16,167	29,400	28,800	27,000
Madhuban (Teur) Canal ...	3,295	8,465	8,435	9,100	8,298	8,500
Improvement of navigable channels—Ganges river ...	4,730	168	.....	.....	.....	40,000
Sugarcane irrigation by pumping in Bihar	13 672	—48	.....	.....	...	.....
Surveys of protective irrigation works in the districts of Darbhanga and Hazaribagh ..	.....	...	3,922	... .	.....	...
Total Works for which neither Capital nor Revenue accounts are kept	53,566	39,698	28,524	38,500	37,098	75,500
Total Irrigation and Navigation Works	12,82,889	10,58,034	10,82,003	14,57,000	15,38,648	11,93,000
AGRICULTURAL AND DRAINAGE WORKS.						
Works for which neither Capital nor Revenue accounts are kept.						
WORKS IN PROGRESS.						
Government embankments ...	5,42,165	7,19 569	8,05,311			
Midnapore Takavi embankments under contract	26,170	29,255	49,759	6,24,000	6,57,082	10,29,000
Gandak Takavi embankments under contract	44 983	52,234	86,738			
Rajpur and Howrah drainage ...	10,724	18,122	8,250	.....	... ...	.....
Magra Hât drainage project ...	.. ...	.....	.. .	.....	.....	...
Total Agricultural ...	6,24,042	8,19,180	9,50,053	6,24,000	6,57,082	10,29,000
Reserve	.....	.. ...	.....	50,000	7,252	50,000
Deduct—For rounding ...	. ...	.. ...	... ..	.. ...	—52,982	.....
Total in charge of the Public Works Department ...	19,06,731	18,77,214	20,32,066	21,31,000	21,50,000	22,72,000

Budget includes Rs. 2,62,000 for establishment, Rs. 2,15,000 for flood damage repairs and Rs. 30,000 for the construction of a lock at Utterbagh in connection with the Magrahat drainage scheme.

This is for training works in the river Ganges.

45—Civil Works—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	
In Charge of the Civil Department.							
Ferry charges	3,832	2,179	1,404	6,626	27,000	6,000	
„ refunds	28,696	25,376	23,748	27,000		26,000	
Staging bungalows ...	6,227	6,755	7,567	8,520	7,500	7,161	
Encamping grounds ...	1,166	624	291	1,316	500	816	
Contributions in aid of Excluded Local Funds and Municipalities	1,47,138	3,69,359	16,93,565	10,60,000	6,07,000	7,63,000	This includes 4½ lakhs for grants for sanitary improvements and one lakh for petty grants placed at the disposal of Divisional Commissioners. It includes Rs. 1,07,900 for realignment of drains in the neighbourhood of the new Presidency Jail.
Other charges	.....	.....	.....	2,000	.....	.....	
Contribution to District Funds and District Road Funds ...	.....	.....	.....	13,81,000	10,48,000	11,24,000	This includes Rs. 8,90,000, being the grant for the improvement of the financial position of District Boards, Rs. 60,000 for grants to feeder roads, Rs. 60,000 for grants to the Road Fund, Sonthal Parganas, and other petty grants.
For rounding ...	.....	.....	.....	—362	.....	+23	
Total in charge of the Civil Department	1,87,059	4,04,293	17,29,575	24,86,000	16,86,000	19,26,000	
In Charge of the Public Works Department.							
Original Works.							
Civil Buildings { In progress ... / Not commenced }	37,14,370	38,22,254	32,18,939	11,57,000 / 4,09,000	20,41,000	23,56,935	
Communications ... { In progress ... / Not commenced }	3,42,216	5,11,329	2,91,305	1,61,000 / 20,000	1,13,000	39,600 / 90,000	
Miscellaneous Public Improvements. { In progress ... / Not commenced }	1,82,236	2,96,528	76,570	10,000 / 3,000	26,000	8,300	

IN CHARGE OF THE PUBLIC WORKS DEPARTMENT—*concld.*						
Repairs.						
Civil Buildings	5,03,567	5,46,123	5,37,296	5,50,000	5,99,000	5,75,000
Communications	9,17,326	9,00,619	8,93,737	10,00,000	9,78,000	10,00,000
Miscellaneous Public Improvements	67,629	56,739	22,839	50,000	36,000	50,000
Total ...	14,88,522	15,03,481	14,53,872	16,00,000	16,13,000	16,25,000
Establishment	8,46,362	9,59,300	10,63,424	11,09,378	10,65,000	10,87,165
Tools and Plant	1,31,337	64,906	82,898	50,623	42,000	62,000
Stock and Suspense ...	—11,615	96,135	1,06,792	.....	.....	.....
Total in charge of Public Works Department	66,93,428	72,53,933	62,93,800	45,10,000	49,00,000	62,59,000
GRAND TOTAL ...	68,80,487	76,58,226	80,23,975	69,96,000	66,86,000	71,85,000

Contribution from Provincial to Local—

Land Revenue	69,000			This head has been abolished with effect from 1908-09.
Provincial Rates	.....			
Police	1,000			
Education	55,000			
Medical	10,000			
Scientific and other Minor Departments	4,000			
Miscellaneous	15,20,000			
Covering Deficit	.....			
Civil Works	6,65,000			
Famine Relief	3,12,000			
Reserve	.....			
Total ...	26,26,000	19,19,000		

Serial No.	Major budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
	3.—*Land Revenue.*			Rs.	Rs.		Rs.	Rs.	
	Charges of District administration—								
1	General Establishment—Salaries ...	Additions to the *cadre* of the Indian Civil Service.	.....	86,400 (Exoluding exchange compensation allowance and pension charges)	86,400	.....	33,600	33,600	In 1907 a scheme was submitted to the Government of India for additions to the *cadre* of the Indian Civil Service, at an estimated cost of Rs. 3,15,800 per annum (excluding compensation allowance). In accordance with letter No. 1517, dated the 1st November 1909, from the Home Department, provision has been made for eight new posts of Joint-Magistrates, on the assumption that they will be sanctioned by the Secretary of State. The estimate of expenditure during the year 1910-11 is arrived at as follows :— Eight inferior appointments of Joint-Magistrates on average pay of Rs. 800 Rs. 76,800 *Less* pay of an equal number of Assistant Magistrates on average pay of Rs. 450 to be promoted ... 43,200 Total ... 33,600

budget head and ead under which sion has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
nd Revenue—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
s of District administration—*concld.*								
ral establishments—laries ...	Lump provision for additional Deputy Magistrates and Deputy Collectors for the Survey and Settlement Department.	.....	1,76,700 (Without pension charges and travelling allowances.)	1,76,700	.....	34,400	34,400	Rs. 18 Deputy Collectors ... 81,000 50 Sub-Deputy Collectors ... 95,700 Total ... 1,76,700 The increase is proposed in order to meet the demands of the Settlement Department in accordance with the orders contained in paragraph 9 of Government of India letter No. 217-1471, dated the 26th February 1909. Provision during 1910-11 has been made for half the appointments on the lowest pay for eight months.
of waste lands ...	Establishment ...	6,000	.....	6,000	6,000	.....	6,000	Provided in view of the contemplated reversion to the old system of giving leases in the Sunderbans to large capitalists.
provision for in- of the pay of terial establish- s.	Improvement of the prospects of ministerial officers.	.....	1,10,000	1,10,000	.....	1,10,000	1,10,000	This is to give effect to the recommendations of the Ministerial Officers' Salaries Committee. The scheme has been sanctioned by the Secretary of State. The increase in cost under this head is Rs. 1,38,096, but a portion of this has already

	7.—Excise.								
6	Superintendence ...	Appointment of a Distillery Expert for Bengal and Eastern Bengal and Assam on Rs. 800 per mensem.	.....	9,600	9,600	.....	9,600	9,600	This appointment has been sanctioned by the Secretary of State. One-third of the cost will be paid by Eastern Bengal and Assam.
7	Distilleries, District establishment.	Improvement of the prospects of ministerial officers.	.....	11,000	11,000	.....	11,000	11,000	*Vide* Item 4 Personal allowances have already been given in some cases, and the additional cost is estimated at Rs. 11,000.
8	Ditto ditto ...	Temporary establishment required in connection with the introduction of the contract distillery system in the Patna and Tirhut Divisions.	.....	32,000	32,000	.....	32,000	32,000	The introduction of the contract distillery system in these divisions has been sanctioned, and the preventive establishments will require strengthening in consequence.
	Total Excise ...	.....	.....	52,600	52,600	.....	52,600	52,600	
	One-half Provincial .	.....		26,300	26,300		26,300	26,300	
	8.—Provincial Rates.								
9	Collection of rates and cesses.	Improvement of the prospects of ministerial officers.	.....	36,000	36,000	.....	36,000	36,000	*Vide* Item 4. Personal allowances have already been granted in some cases, and the additional cost is roughly estimated at Rs. 36,000.
	Provincial share (⅓) ...	.....	.....	12,000	12,000	.....	12,000	12,000	
	Local share (⅔) ...	.....	.....	24,000	24,000	.....	24,000	24,000	

of budget head and head under which vision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
General Administration.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
and Household of the Lieutenant-Governor—								
ges for motor-cars ...	Purchase of a motor-car for His Honour.	10,000	...	10,000	10,000	.....	10,000	The car is required to replace one in His Honour's use which is worn out.
slative Department...	Additional establishment required in connection with the enlarged Legislative Council to report debates, and the employment of peons for a larger number of Members.	.....	12,000	12,000	.....	12,000	12,000	
ative Council ...	Salary, establishment, and contingencies of Councillors.	.....	2,00,000	2,00,000	.....	2,00,000	2,00,000	Rs. Salary, etc., of Members of Council ... 2,00,000 Net saving under the Board of Revenue .. 50,000 1,50,000
	Reorganisation of Chief Secretary's office.	.....	14,793	14,793	.....	14,793	14,793	A proposal to reorganise the Secretariat has been approved by the Government of India.
	Reorganisation of Judicial Secretary's office.	.....	9,105	9,105	.....	9,105	9,105	
	Reorganisation of Financial Secretary's office.	.....	8,946	8,946	.....	8,946	8,946	
	Temporary establish-							

		sioners' offices.							
	Total General Administration.		32,320	2,69,844	3,02,164	32,320	2,69,844	3,02,164	
	19A.—Law and Justice—Courts of Law.								
15	High Court ...	Revision of the establishment of the Insolvency Court.	.....	28,420	28,420	.....	24,820	24,820	This is for the appointment of a Registrar of Insolvency and his establishment under the new Presidency Towns Insolvency Act, which came into force on the 1st January 1910.
16	Ditto	Temporary establishment for an additional Judge.	.....	5,500	5,500	.....	5,500	5,500	Temporary clerical and menial establishment for one Additional Judge.
17	Law officers ...	Appointment of a Lady Legal Adviser to *purdanashin* ladies.	.....	18,720	18,720	.....	Rs. Salary 12,000 Establishment 1,820 Travelling allowance 1,500 Contingencies 1,000 Total 16,320	16,320	The charge has hitherto been paid directly by the private estates concerned, but it now appears in the Budget for the first time. It is not in reality an additional item of expenditure, since the recoveries from private estates will be credited under Provincial Rates. One-fourth of the charge is recovered from the Government of Eastern Bengal and Assam.
18	Ditto	Fees for the defence of paupers in murder cases.	.....	5,000	5,000	.....	5,000	5,000	The provision is for the representation in the Courts of persons charged with murder who cannot afford to engage pleaders themselves.

Major budget head and head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
—*Law and Justice—Courts of Law*—concld.								
l and Sessions Court	Appointment of a new District Judge for Sambalpur, and his establishment.	.....	53,000	53,000	.....	Rs. Salary ... 30,000 Establishment 13,000 Travelling allowance 1,000 Supplies and Services .. 7,000 Contingencies 2,000 Total ... 53,000	53,000	Already sanctioned by the Secretary of State.
l and Sessions Court—pplies and services ...	Purchase of fire-extinguishing appliances for Civil Courts.	10,000	.....	10,000	10,000	.....	10,000	
inal Courts ...	Honorary Magistrates establishment.	.....	12,090	12,090	.....	12,090	12,090	Rs. Establishment sanctioned in 1909-10 10,626 For additional requirements ... 1,464 Total ... 12,090
	Improvement of the prospects of ministerial officers in Civil and Criminal Courts.	.....	2,00,000	2,00,000	.....	2,00,000	2,00,000	*Vide* Item 4. The increase in cost under this head is Rs. 2,77,950, but a portion of the cost of the scheme has already been met by the grant of personal allowances. The balance only is shown.
tal Courts of Law ...		10,000	3,22,730	3,32,730	10,000	3,16,730	3,26,730	
—*Law and Justice—Jails.*								
blishment—								

25	Warder establishment	Appointment of circle reserve warders.	.....	5,476	5,476	.....	5,424	5,424	This has been sanctioned with effect from the 1st April 1910.
26	New Presidency Jail ...	Establishment and other charges in connection with the new Presidency Jail.	.....	1,39,486	1,39,486	.....	1,39,486	1,39,486	The new Presidency Jail will be utilized for the present accommodation of prisoners in addition to the old Presidency Jail, and the provision is on this account.
27	Jail manufacture ...	Jail manufactures in the new Presidency Jail.	.....	12,840	12,840	.....	12,840	12,840	
	Total Jail ..		.. ...	1,83,698	1,83,698	.....	1,83,586	1,83,586	
	20.—Police.								
	Presidency Police—								
28	Police Commissioner—Salaries	Appointment of two additional Deputy Commissioners.	.. ...	21,000	21,000	.....	21,000	21,000	This is a sanctioned scheme for the replacement of the Superintendents of the Calcutta Police by Deputy Commissioners, as recommended by the Police Commission. The details of the charges are as follows:— Rs. Salary ... 700 Local allowance ... 100 Horse do. ... 75 Total ... 875 × 2 × 12 = 21,000 A saving of Rs. 10,680 will be effected by the abolition of two appointments of Superintendents on Rs. 400 and Rs. 350, and horse allowance of Rs. 70 each. The excess charge will be Rs. 10,320.

budget head and head under which ion has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
—*Police*—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
ency Police—*concld.*								
e Commissioner— laries—*concld.* ...	Beat system in the town and suburbs of Calcutta.	... ...	72,721	72,721	.....	72,208	72,208	
al Investigation rtment.	Reorganisation ...	... ..	1,36,000	1,36,000	.....	1,36,000	1,36,000	This is a sanctioned scheme for strengthening the Criminal Investigation Department.
t Police Force— laries ...	Appointment of six Assistant Superintendents.	.....	21,600	21,600	.....	21,600	21,600	This is for new officers to be recruited in England under orders of the Government of India.
	Promotion of Deputy Superintendents.	.....	4,800	4,800	.....	4,800	4,800	Rs. Two from Rs. 300 to 400 ... 200 Four from Rs. 250 to 300 ... 200 400 This is in accordance with the sanctioned scale which has not yet been worked up to.
lice Force ...	Employment of two Armed Police Inspectors.	.....	3,600	3,600	.....	2,700	2,700	For Jessore and Angul at Rs. 150 each. Provision made for nine months.
	Addition of thirty Sub-Inspectors.	.. ...	18,000	18,000	.....	13,500	13,500	Thirty on Rs. 50 each per mensem. Provision made for nine months.
	Increment of pay of constables.	.....	1,18,200	1,18,200	.....	88,650	88,650	Second rupee increment to 9,850 constables. Provision made for nine months.
llowances ...	Conveyance allowance of Inspectors and Sub-	.....	5,760	5,760	.....	4,320	4,320	Conveyance allowance of Rs. 15 a month for two

39	Training School for Sub-Inspectors.	Management of the Doranda Cantonment lands.	.....	6,000	6,000	.....	6,000	6,000	For the management of the Doranda Cantonment which has been relinquished by the Military authorities.
40	Contingencies ...	Rent of quarters for Sub-Inspectors.	40,000	.....	40,000	40,000	.....	40,000	House-rent for Sub-Inspectors will be required till quarters are provided.
41	.....	Office expenses and miscellaneous.	.....	3,390	3,390	.....	3,390	3,390	Additional expenditure for the new force to be appointed.
	Total Police ...		1,31,500	4,11,071	5,42,571	1.31,500	3,74,168	5,05,668	
	21.—Ports and Pilotage.								
42	Purchase of marine stores and coal, etc.	Purchase of two new boilers for the S.S. *Guide*.	£ 3,800 or Rs. 57,000	.....	57,000	57,000	.....	57,000	An indent has already been sent home. The present boilers are worn out, and require to be replaced. The expenditure was postponed during the current year for want of funds.
	22.—Education.								
43	Inspection ...	Inspector of Technical Schools and Industrial Education.	600	25,608	26,208	600	16,400	17,000	Sanctioned by the Secretary of State.
44	Inspectors of other schools	Scheme for the provincialization of Sub-Inspectors previously employed under District Boards.	.....	17,880	17,880	.....	17,880	17,880	Sanctioned by the Secretary of State. This is for regrading the Sub-Inspectors transferred to the Provincial Service.

Major budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Nor-recurring.	Recurring.	Total.	
V.—*Education*—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Government Colleges—General—								
Art College for boys	Scheme for strengthening the staff of Government Colleges.	.....	95,840	95,840	.....	42,000	42,000	The total cost sanctioned by the Secretary of State is Rs. 1,40,840. Rupees 45,000 was provided for in the budget for 1909-10, and an additional sum of Rs. 42,000 is provided for 1910-11 for additional Professors to be recruited.
Government Schools—Special—								
Guru-training schools	Construction of school buildings, teachers' quarters, etc.	1,00,000	.....	1,00,000	1,00,000	.....	1,00,000	This is for the completion of buildings under construction, and for other outstanding liabilities.
Technical and Industrial schools.	Serampore Weaving School.	5,700	900	6,600	5,700	900	6,600	Rupees 35,000 was provided in the budget for 1909-10 in lump; the additional Rs. 6,600 provided for 1910-11 is for outlying centres, etc.
Miscellaneous ...	Preparation, translation and editing of the Senior Teachers' Manual.	15,800	.....	15,800	15,800	.....	15,800	
	Preparation and translation of science text-books for Standards III—VI.	9,200	.....	9,200	9,200	.....	9,200	

Salaries ...							of India, and are under their consideration.
	Improvement of the pay and position of Civil Medical Assistants.	.....	32,520	32,520	... ..	32,520	32,520	This is a scheme for improving the position of Civil Medical Assistants which has been tentatively approved by the Government of India, pending the submission of a proposition statement showing its exact financial effect. Of this, about Rs. 10,000 will be recovered from Local Funds, etc.
Hospitals and Dispensaries—							
Medical College—							
Establishment ...	Establishment required for the working of the new Surgical Block of the Medical College.	.....	18,000	18,000	.....	18,000	18,000	The new Surgical Block will be opened shortly, and additional establishment will be necessary for its working The provision has been made pending the submission of definite proposals.
Medical Schools and Colleges—							
Medical College—							
Salary ...	Professor of Anatomy ...	.....	8,400	8,400	.. ...	6,000	6,000	This is a new appointment, to which the sanction of the Secretary of State is expected shortly.
Total Medical ...		.....	1,55,920	1,55,920	.....	97,520	97,520	
90.—Scientific and other Minor Departments.							
Veterinary and Stallion charges—Hospitals and dispensaries.	Reorganization of the service of Veterinary Assistants.	.....	1,03,000 (will not be attained for 15 years.)	1,03,000	.....	10,000	10,000	The scheme has been sanctioned by the Secretary of State, and it will be introduced as funds are forthcoming.

for budget head and sub-head under which provision might be made if funds are available.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
I.—*Scientific and other Minor Departments*— concluded.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Agriculture— Agricultural College ...	College Hostel ...	3,000	16,200	19,200	3,000	2,600	5,600	The hostel will be opened in November 1910.
Ditto ...	Laboratories establishment	1,000	5,820	6,820	1,000	5,820	6,820	This is for temporary establishment, and will vary according to requirements.
Ditto ...	Fitting up the College ...	25,000	.....	25,000	25,000	.....	25,000	The total estimate was one lakh, out of which Rs. 75,000 was provided in the current year's budget. The balance will be required next year.
Cinchona Plantation— Manufacturing account	Purchase of cinchona bark.	2,00,000	.....	2,00,000	2,00,000	.....	2,00,000	Owing to the increased demand for quinine which is anticipated, and to the fact that much of the bark at present on the Plantation is immature, it is necessary to make extensive purchases of Java bark.
Botanical and other Gardens— Botanical Garden at Sibpur. Supplies and Services	Purchase of a new pumping engine and boiler.	5,600	.....	5,600	5,600	.....	5,600	The amount is urgently required in order to replace the existing engine which is worn out.
Registrar of Co-operative Credit Societies—						4,488	4,488	The appointment of ...

Minor Departments—								
30.—Stationery and Printing.								
Government Presses—								
Bengal Secretariat Press—								
Supplies and Services	Six printing machines, a guillotine cutting machine and accessories, and a book-sewing machine.	36,592	.....	36,592	36,592	.....	36,592	The machines are required to replace existing old ones, and to permit of more efficient work.
Purchase of plant from Home.								
32.—Miscellaneous.								
Allotment for petty grants by His Honour the Lieutenant-Governor.	.....	25,000	.....	50,000	50,000	.....	50,000	This is an allotment from which donations to charities and grants to local bodies are made on direct application to His Honour the Lieutenant-Governor. The present grant is Rs. 50,000, and it is proposed to raise it to Rs. 1,00,000.
45.—Civil Works in charge of Civil Officers.								
Contributions to Municipalities, etc.—								
Special grants at the disposal of the Commissioners of Divisions.	To meet minor local requirements without the delays incidental to a reference to headquarters.	25,000	.....	25,000	25,000	.....	25,000	The system has worked well, and it is proposed to increase the allotment from Rs. 75,000 to Rs. 1,00,000.
GRAND TOTAL ...		7,61,812	20,58,699	28,20,511	7,61,812	15,90,736	23,52,548	

He said :—"The remarks which it has been customary for the Financial Member to make in presenting the Budget have been circulated in the memorandum which was issued with the Amended Draft Financial Statement. The only change since made in the figures was explained in the memorandum which accompanied the Revised Financial Statement. As Hon'ble Members are aware, the Stamp Bill as finally passed by the Imperial Council was in a slightly modified form as compared with the Bill originally introduced. In consequence of the modification of the Bill, the estimated receipts under Stamps have been reduced by Rs. 40,000, of which Rs. 20,000 is the Provincial share. Our receipts under this head have, therefore, been reduced by Rs. 20,000, but we do not lose anything, because the Government of India take the receipts which are anticipated from the enhanced scale of taxation, and the contribution to that Government on this account is accordingly Rs. 20,000 less."

The Hon'ble MR. SLACKE introduced the following heads :—

Revenue—

I.—Land-revenue.

Expenditure—

3. Land-revenue.
8. Provincial Rates.

He said :—"It falls upon me, Sir, to deal with the Land-revenue and Provincial Rates portions of the Budget.

"I will first deal with the revised estimate for the year 1909-10, as given on pages 1 and 2 of the revised Financial Statement. On the receipt side the increase under Land-revenue and Provincial Rates is mostly due to the good harvests which facilitated the collection of arrears. On the expenditure side the decrease was due to the inability to make full use of the grant because of absences of Civilian officers on leave, deputation of Provincial officers to settlements and valuations, to delay in the discussion of proposals to appoint additional members of that service, and to the fact that the orders with reference to the proposals of the Ministerial Officers' Committee were not received till late in the year and the time necessary to work out the details in connection with these proposals. The Ministerial officers themselves will not suffer, for payments will be made from the date the orders were received. With regard to the increases under the head 'General Rates for the Management of Private Estates,' hitherto the salary of Miss Sorabji has been paid for by the estates in respect of which that lady was specially employed. Experience has shown that, for the administration of Court of Wards' estates, her services cannot be confined to certain specific estates, but must be regarded as available generally, and consequently the cost will, in the future, be met from the Wards' Rate Fund instead of, as in the past, by a special assessment on certain estates.

"Under heading 'Management of Government Estates,' paragraph 36, page 10 of the Revised Financial Statement, the Budget provides for Rs. 84,000 in excess of the revised estimate for 1909-10. Thus, after allowing for certain allotments made in 1909-10, but which will not re appear in this year, such, for instance, as the Sundarbans reclamation scheme, the increase in question is mainly due to a special grant of Rs. 40,000 for special improvements, to the inclusion of the Hiranpur Market in the Provincial accounts for the first time, and to the fact that the actuals of collections were greater than the estimates on which were based the yearly 9½ Management and Improvement grant of Government estates. The special grant to which I have referred is required in order to safeguard a very much larger amount of Government revenue that would have to be remitted unless certain necessary works are carried out—works which it is impossible to finance from the ordinary Improvement grant. As an instance I would give the large Majnamutha and Jellamutha estates in

[*Mr. Duke.*]

ıapore, the collections in which depend on the numerous khals and ınkments being kept in proper order. I would mention that of the sum ired for the Hiranpur Market, Rs. 10,000 is in respect of improvement Rs. 7,000 to meet the collection of rents.

"The decrease referred to in the same paragraph in the sum estimated r Survey and Settlement in 1910-11, as compared with the revised ıate of 1909-10, is due mostly to less being required in the coming than ıe current year for certain settlements. Still, with reference to the same graph, the lump reduction of Rs. 70,000 has been made under the orders of Government of India, who think that the total grant will not be expended ıg the year and that savings to that extent may be expected.

"Turning to page 19 of the Revised Financial Statement under Receipts, decrease in the sum budgetted for 1910-11, as compared with the revised ıate for 1909-10, is due to the fact that, owing to good harvests, more ırs were collected in the year 1909-10, and hence there is less to collect in coming year; and similarly with regard to the figures against Provincial s for the year 1910-11 under Land-revenue as compared with those of the ed estimate for 1909-10.

"The increase of expenditure under Provincial Rates in 1910-11, as ɔared with the revised estimate for 1909-10, is mainly owing to the provi- for the improvement of the prospects of ministerial officers in cess offices.

"With reference to heading XII—Interest, on page 27, the decrease ır Class III is due to repayments of principal. The item 'Interest on ernment securities' relates to interest due on Government securities ıging to endowments of Educational and Medical Institutions, and uates according to the amount of such securities held in the Accountant- eral's Office.

"With reference to the details given on page 39 of the revised Financial ement, no provision has been made for the controlling office because the le of the expenditure required for control has been distributed amongst various operations in regard to the supervision of which the Director is onsible.

"The increase under Bengal Drawing Office is due almost wholly to the that the amount allotted in 1909-10 for the reproduction of village maps tally inadequate to meet the requirements of district officers.

"Under 'Other operations' are included the Ganges Diara Survey and Calcutta Town Survey, and under 'Other settlement operations' the settle- t of Government and temporarily-settled estates and reproduction of maps ɔspect of certain areas in Chota Nagpur. This reproduction is carried out anchi and not in the Bengal Drawing Office.

"The decrease under Superintendence under Land Records in the nate for 1910-11, as compared with the revised estimate for 1909-10, is due eductions made by the Accountant-General in respect of work debitable to erial.

"It will be seen that for 1910-11 a sum has for the first time been ırately provided under Land Registration charges. This is not a new ge, but commencing with 1910-11, the charge has been placed under this head, having been previously included under District charges—Land Records.

The portion of the Land-revenue Budget which relates to General ministration will be dealt with by the Hon'ble Mr. Duke."

The Hon'ble MR. DUKE said :—"Before I pass to the head 'General ministration,' I just wish to mention one or two items under Land- enue, head No. 3, which have been left to me by the Hon'ble Mr. Slacke. first is that referred to on page 38 of the detailed statement, the provision ts. 33,600 for eight additional Joint Magistrates. The growing necessities of

the administration and particularly the want of junior officers to assist District Officers at head-quarters and the want of officers for settlement operations led in 1907 to the preparation of a scheme for increasing the cadre of the Civil Service and that scheme is now before the Government of India. This Government is still unaware of what effect may be given to the scheme as a whole, but there is reason to believe that, as part of it, the appointment of eight Joint Magistrates will shortly be sanctioned and therefore they are provided for, the figure merely representing the difference of pay by the promotion of Assistant Magistrates to be Joint Magistrates.

"The other item to which I have to refer is the provision of Rs. 34,400 for additional Deputy Magistrates and Sub-Deputy Collectors for settlement demands. The settlement operations in this province have constantly been growing and of recent years very great difficulty has been felt in carrying on the work of the revision of settlement in Orissa with the existing staff and the result has been that to ease the strain on the administration, a number of temporary officers not in the regular service of Government have been employed as Assistant Settlement Officers. This is an unsatisfactory arrangement neither tending to efficiency nor fair to the officers themselves. We are now faced with the problem of having to extend revision operations to North Bihar not later than 1912, and we have, therefore to prepare for these operations and in particular to have the necessary number of officers in training and ready to take up the work when it comes on. Upon the whole it has been found that 18 extra Deputy Collectors and 50 Sub-Deputy Collectors will eventually be required and these will be distributed through the grades of the service. I need not go into details of the eventual cost, which will come up to Rs. 1,76,000, but the necessary addition to the cadre will be made by increases extending over three or four years and in the meantime all that is to be done is to take in 9 Deputy Magistrates and 25 Sub Deputy Collectors in the lowest grades of the service, that is, the Rs. 200 and Rs. 100 grades, respectively, and provision is made accordingly.

The Hon'ble MR. DUKE introduced the following head:—

Expenditure—

18. General Administration.

He said:—"I now pass to head No. 18, 'General Administration.'

"The first item which presents any novel features is that of the Legislative Department, where there is an increase of Rs. 22,000 over the budget estimate of 1909-10, which has been provided for. Of this sum, Rs. 12,000 is for additional establishment required in connection with the enlargement of the Council, and the balance (Rs. 10,000) is for the travelling allowance on account of the increased number of the non-official members and for other incidental expenses.

"The next item also requires notice—the Civil Secretariat. The budget provides for an increase of Rs. 8,000 over the budget estimate for the current year. It includes provision for two considerable schemes of reorganisation. The first of these is the reorganisation of the Civil Secretariat. The last reorganisation of the Secretariat took place in 1892. The establishment was then reorganised on the following principles: progressive salaries were abolished and clerks were arranged in upper and lower divisions. It was intended that all recruitments should be made through the lower division, every assistant starting on a pay of Rs. 40. In practice, however, unpaid assistants or apprentices were constantly employed, and it has been apparent for some time that the system was unsatisfactory. The grading was imperfect and there were too many clerks in the lower grades on inadequate salaries, and men before reaching these grades had to remain without pay. The result was that men of superior attainments were discouraged from entering the Secretariat, and it has begun to be evident that it is very difficult to obtain men of efficient qualifications for the higher posts. It has therefore been resolved that, under the system approved by the Government of India, unpaid apprentices be abolished and the number of assistants in the lower grades diminished,

[*Mr. Duke.*]

There are at present 42 men drawing Rs. 40 a month. These will be reduced to 15; and when the new scheme of reorganisation is given effect to, the average value of appointments in the upper classes will be raised from Rs. 199 to Rs. 219, and in the lower grade from Rs. 59 to Rs. 65. Furthermore, a system has been created of direct appointments in the upper division, that is to say, posts which carry Rs. 125 or above are to be re-introduced, and it is hoped that in this way that careers will be opened to candidates of superior attainments.

"The total provision on this account is Rs. 32,000 for the three branches of the Civil Secretariat not including the Public Works Department.

"Then I would refer to the allotment of Rs. 22,000 for temporary establishment in the Secretariat record-room. The record-room is in bad order and suffering from want of attention, and provision has therefore been made for a temporary establishment to carry this out with a view to eventually putting the record-room on an entirely new system.

"I may now refer to the provision for the Executive Council under the Board of Revenue. We are still unaware of the date and personnel of the Council which will be created in this Province, but there is every reason to expect that the appointment will be made shortly. It is assumed that there will be three members, and for budget purposes the salaries of these three members have been taken at Rs. 64,000, and Rs. 8,000 has been added for incidental charges and contingencies.

"It is anticipated that if the Executive Council is created the post of, at least one of the members of the Board of Revenue will be abolished, and accordingly a reduction of Rs. 50,000 has been made in the charges of the Board.

"Under the head of Commissioners, there will be found a slight increase for establishment on account of the increase of the pay of ministerial officers in accordance with the recommendation of the Salaries Commission, but upon the whole this will be more than counterbalanced by savings under compensation for the dearness of food.

"While dealing with this head, I will, with your permission, refer briefly to the statement of Civil Works, paragraph 59, page 16. These are works which are required for the purposes of general administration, and it is more suitable for me to deal with this, than it would be for the Secretary in the Public Works Department. The first of the works to which I refer is the construction of new court buildings at Angul. The existing building is a small one and a new one is badly required. Of the total cost—which is under Rs. 40,000—Rs. 18,000 was provided in the current year and Rs. 20,000 is provided now to complete it.

"The next item, the Deputy Commissioner's residence at Sambalpur. The existing house is a small one and ill arranged, and the work in it is of very poor quality. The total estimate is about Rs. 31,800, of which Rs. 10,000 is provided in the current year, and this will practically provide for its completion.

"The next item, Rs. 25,595, for the re-construction of the sub-divisional office building at Tamluk in Midnapore. The present buildings are unsightly and inconveniently situated huts, and a proper office is badly required.

"The next item is Rs. 6,790 for some small addition to the sub-divisional office building at Jajpur, Cuttack. This office is already crammed to bursting point, and the Bench have no place to sit in.

"Rupees 7,053 is provided for the extension of the sub-divisional office at Aurangabad. The existing record-room is unsafe, and some accommodation for the Sub-Registrar and a verandah for the court-room, which is uninhabitable in the hot weather, are required.

"These, I think, are the only items which require any special explanation."

The Hon'ble MR. DUKE also introduced the following heads :—

Revenue—

IX —Forests.

Expenditure—

11. Forests.

He said :—"The budget for 1910-11 shows an increase of over a lakh over the revised estimate for 1909-10, and a decrease of 2 lakhs as compared with the sanctioned estimate for 1909-10. Forests being divided between Imperial and Provincial, these figures have to be divided by two to obtain the Provincial share.

"The decrease in the revised figures for 1909-10 is entirely accounted for by head 'Receipts for Timber and other Produce removed from the forests by consumers or purchasers'. This is to be attributed to the depression in the timber markets, which depression is partly due to the general depression of trade and partly to increased imports of Australian and other foreign woods. There is also some further loss on account of decrease in the quantity of sabai grass in Singhbhum. Upon the whole we anticipate that the timber trade will begin to improve, and we also anticipate some increase of revenue from the extension of mica-mining in Palamau. The estimate for 1910-11 has accordingly been fixed at Rs. 10,41,700.

"On the 'Expenditure' side a total provision of Rs. 6,65,000 has been made, being an increase of Rs. 78,000 over the sanctioned figure and Rs. 84,000 over the revised figures for 1909-10. The Provincial share of this expenditure will be Rs. 3,32,000.

"There is an increase of Rs. 51,000 over the sanctioned figure for 'Conservancy and Works', and Rs. 5,17,000 over the revised figures. This increase is largely accounted for by the head 'V.—Payment to shareholders in forests managed by Government', Rs. 20,000, which is payable to the Raja of Porahat whose forests are leased to Government. Then there is also a large sum of Rs. 98,800 for 'Communications and Buildings'. That sum exceeds by about Rs. 20,000, the sanctioned estimate, and by Rs. 70,400, the revised estimate. The increase is due to the provision of a number of urgent non-recurring schemes estimated to cost Rs. 5,000 or less.

"I do not think it is necessary to remark upon any of the small items which are separately detailed on page 14. I shall be happy to give any explanation which may be required regarding them, but detailed explanations are unnecessary.

"I now turn to establishments. The total amount provided is Rs. 2,63,000, which gives an increase of Rs. 27,000 over the sanctioned estimate of 1909-10. This is accounted for by the head 'Salaries'. A re-organization of the Imperial and Provincial Forest Services for Bengal has been lately sanctioned by the Secretary of State, and the effect of this is to provide one additional Extra Deputy Conservator for this Province, and as the department was also short of another officer, there will be the full salaries of two officers, one on Rs. 500 and one on Rs. 450. This involves a corresponding addition to the ministerial establishment."

The Hon'ble MR. DUKE also introduced the following heads :—

Revenue—

XXI.—Scientific and other Minor Departments.

Expenditure—

26. Scientific and other Minor Departments.

He said :—"I now turn to item XXI on the receipt side.

"Taking the revised estimates for 1909-10 on the receipt side, there is a decrease of Rs. 48,000 on the original estimates. This is principally due to a falling off in the sale of quinine, Rs. 40,000. The estimate is based on

actuals, but it is possible that at the end of the year it will be seen that the loss is not so great as anticipated. There is a slight decrease of Rs. 8,000 under 'Emigration fees.' On the expenditure side sanctioned provision for 1909-10 was Rs. 14,05,000, and the revised estimate shows a decrease of Rs. 2,16,000. The principal items which contribute to this decrease are: experimental cultivation which accounts for Rs. 1,59,000 (of which the Hon'ble Mr. Gourlay will give some explanation), veterinary and stallion charges Rs. 30,000, cinchona plantation Rs. 14,000, Botanical and public gardens Rs. 24,000, and Inspector of Factories Rs. 17,000, and Gazetteer and Statistical Memoirs Rs. 13,700.

"I take the items in connection with the budget figures for 1910-11 one by one.

"There is an increase of Rs. 1,04,000 over the revised figures for 1909 10.

"The principal items of increase is cinchona plantation. Increased sales of quinine are anticipated, the number of grains in the packet being raised from 7 to 10, and arrangements have been made for supplying the drug in tabloid form, in which it will be practically tasteless, and so it is hoped will be more generally acceptable. Steps have also been taken to increase the number of centres of distribution by enlisting the services of school masters, vaccinators and private practitioners, and it is therefore anticipated that there will be a considerable increase of revenue.

"The only other item of importance is experimental cultivation, which shows an increase of Rs. 27,000, and to this the Hon'ble Mr. Gourlay will refer.

"Coming now to expenditure (Rs. 14,3?,000), there is an increase of Rs. 2,43,000 over the revised figures of the current year.

"In the year 1907 a scheme for the reorganization and extension of the Veterinary service of the Province was sanctioned by the Secretary of State. The scheme provides for a large increase in the number of veterinary assistants, both stationery and peripatetic, and the charges for these will be shared between Government and the local authorities, under whom they are employed under the present system, the charges for which will be entirely provincial. The scheme will be brought into force gradually as funds permit. Some provision in furtherance of the schome was made in the budget for 1909-10, but it continued under discussion for about a year and practically very little progress was made. It is partly on this account that there is so large a decrease in the revised figures for the current year, but there is also a large saving (Rs. 21,217) under 'Supplies and Services.' It is hoped that the scheme will now go forward.

"Out of the amount stated above, Rs. 10,000 is provided for the reorganization of the veterinary assistants' services in the coming year.

"Under the head 'Cinchona plantations' there will be an increase of Rs. 1,61,147 over the revised and Rs. 1,67,000 over the sanctioned figures for the current year. This is due to the provision of 2 lakhs as against $\frac{1}{2}$ lakh for the current year for the purchase of cinchona bark. The reasons for making this largely increased provision is partly in anticipation of the increased sales of quinine, but also the fact that the supply from the Government plantations is necessarily inelastic. It takes 10 years for cinchona to mature. It is therefore proposed to purchase sufficient to provide an outturn of 40,000lbs., which will suffice for a reasonable reserve. Another reason for making purchases at the present time is that the price of the raw material shows an upward tendency.

"I will refer to the item under 'Civil Works,' which is the concern of this department: this is the construction of a new bulding at Munsong at a cost of Rs. 13,000. This bungalow is required to house the officers in charge, when the plantation inspection is going on at Munsong. There is some decrease (Rs. 24,000) in the case of the Botanical gardens, etc. This is partly due to smaller expenditure on account of the Zoological Gardens.

[*Mr. Gourlay.*]

"Last year, when the budget for the current year was under preparation, it was anticipated that the extension of the Zoological Gardens would be carried out by the purchase of the adjoining premises known as Kidderpore House, and provision of Rs. 10,000 was made for the appointment of a Superintendent of higher qualifications on higher pay. The extension of the Garden has not been found possible, and there is no present prospect of its being undertaken, and accordingly no provision has been made. A new pumping engine has to be provided for the Royal Botanical Garden at a cost of Rs. 5,600 to replace the old one which has worn out.

"There are changes of some importance in respect of the Inspector of Factories and of the Gazetteer, but I need not go beyond the explanation in the remarks column. There is an increase under 'Co-operative Credit Societies' (Rs. 42,000), as compared with the sanctioned revised figures for 1909-10. This is partly due to the fact that there were exceptional savings in 1909-10 owing to the absence of the Registrar on leave, and also for the further reason that provision is now to be made for three auditors.

"*Fisheries.*—During 1909-10 there was budget provision for Rs. 1,65,000 under the head '32—Miscellaneous'. Operations, however, were completed earlier than was anticipated, that is to say, the deep-sea fishery operations, and the revised estimates were only Rs. 1,14,000. The 'Golden Crown' has been sold and the post of Fishery Commissioner, which was a temporary post, will lapse, and the department will cease to exist as a separate branch of the Administration. The department in future will be carried on under the Director of Agriculture, and for the next few years will principally be confined to the investigation and improvement of freshwater fisheries, so that the provision now made is entirely for these purposes. The budget consists of Rs. 7,500 of non-recurring charges, principally with a view to the provision of fish-breeding tanks, Rs. 32,500 of recurring charges, salaries of assistants Rs. 11,400, temporary establishment Rs. 6,200, travelling allowance Rs. 6,500, contingencies and unforseen Rs. 10,000.

The Hon'ble Mr. Gourlay will explain the minor head 'Experimental cultivation'."

The Hon'ble MR. GOURLAY said:—"I have been asked by the Chief Secretary to deal with the minor head 'Experimental cultivation.' The provision made for agriculture is Rs. 3,89,000—Rs. 1,11,000 less than last year, and on the receipts side there is an estimated income from the farms of Rs. 54,000. Although the provision in the budget is for experimental cultivation, this minor head includes also the whole work of the Agricultural Department, including agricultural education.

"In any scheme of scientific agriculture there must be four stages. There is, first of all, the provision for a research station and research officers. There is next the provision of farms for experimenting with the results obtained by research. Thirdly, there is the work of demonstrating the results of experiments to the cultivators and instructing them in scientific methods; and hand in hand with these three stages is the scientific training of the expert officers to carry out the experiments, the demonstration and the instruction. These four stages are all in addition to the ordinary needs of a country for agricultural education. Agricultural education may be divided into two classes: first, an education the aim of which is to train experts, whose duty it will be to carry on scientific research and to demonstrate the results, and to educate the agricultural community; and, secondly, an education the aim of which is to train the agricultural community itself in scientific methods. For this purpose in Bengal the agriculturists are divided into two classes: the landholder, who cultivates his land by means of hired labour, and the raiyat who does the most of his cultivation by means of his own family. For the training of experts and of the landholders we require a college, and it is only by means of a college that we can train teachers who will impart instruction

to the raiyat. Therefore the first necessity in any scheme for the introduction of scientific agriculture is the provision of an agricultural college.

"We have established in Bengal a research station at Sabaur, near Bhagalpur, which has a staff of expert officers who are at present engaged in scientific work. The scheme of organisation for Bengal provides for an experiment station in each of the homogeneous tracts of the Province which correspond roughly with the different Divisions. Stations have been established at Bankipore, Bhagalpur (Sabaur), Chinsura and Cuttack; but owing to the financial stringency it has not been found possible to provide money for the proposed stations at Ranchi, representative of the Chota Nagpur plateau, and at Kharagpur, representative of the laterite area.

"It is also proposed to have demonstration farms where the results of our experiments can be demonstrated at the headquarters of every district, and in time, at the headquarters of each sub-division, and to have attached to each of these stations an itinerant Inspector whose duty it will be to tour through the districts and to demonstrate scientific methods and instruct the cultivators how to carry these out. But all these schemes require funds which are not at present available, and they require more than funds—they require a staff of trained officers. Provision has already been made in the college at Sabaur for the teaching of scientific and practical agriculture. The college building is approaching completion, and it is hoped that the fittings will be completed by November and that it will be possible to commence teaching then. The professorial staff will almost entirely be supplied by the research officers and their assistants who reside at present at the college. For the first year it is not proposed to take any large number of students, probably 15 or 20 at the outside, for the research staff themselves have to gain experience in tutorial work. It is not proposed during the first year to charge any fees for the courses, but neither is it proposed to offer any large number of scholarships. It is hoped that we will be able to attract, without other inducements, except a practical agricultural training, a sufficient number of the sons of zamindars and landholders of Eastern Bengal and Bengal, and thus to be able to give a scientific training to men who are interested in agriculture for its own sake.

"These remarks practically cover the whole of the provision for agriculture in the Financial Statement. The decrease in the estimates is due to the necessity at present for expanding slowly, and also to the fact that last year's estimates included a large provision for the completion of the college at Sabaur

The Hon'ble Mr. W. C. Macpherson introduced the following heads :—

Revenue—

V.—Excise.

Expenditure—

7. Excise.

He said :—"I present, Sir, the figures relating to the receipts and charges of the Excise Department. They are to be found on pages 25 and 41 of the Financial Statement. Next to the item of Land-revenue, the Excise revenue is the most important item of the Provincial resources. It was originally estimated that the total excise revenue for the current year would be 179 lakhs, but the present estimate is that it will be 167½ lakhs only. For 16 years, from 1892 to 1908, the Excise revenue rose steadily from 111 lakhs to 171 lakhs, and in recent years there was an annual increase of about 8 lakhs. Last year, however, there was a check of the increase of the Excise revenue which fell short of that of the preceding year by about ¾ of a lakh. This check was principally due to scarcity and high prices, to the failure of the *mahua* crop and to dull markets in lac, coal and mica which

decreased the consumption of country spirits, but it was also partly caused by the reduction of license-fees in the Bhagalpur Division, consequent on the substitution of the contract distillery system for the system of outstills.

"The high prices of food-grains have continued to operate during the present year, and other causes have led to a further decrease of revenue in the current year, viz., the restrictions made in the issue of opium with the object of checking the smuggling to Burma and the abolition of the outstills in the greater part of the Patna and Tirhut Divisions, which will have effect from the 1st April next, and which has resulted in a large decrease of the advance fees paid for licenses.

"Down to the end of January the receipts for the current year were 2½ lakhs behind those of the preceding year. Although there has been a decreased consumption of country spirits in Calcutta in the last two years, there has been an increase of about 1 lakh in the license fees of country spirit shops just settled in Calcutta, and there has been a similar increase in some of the Bengal districts which, however, is more than counterbalanced by the large decrease in the license fees settled in Bihar.

"The estimate made of receipts for 1910-11 is 170½ lakhs, including half a lakh of additional taxation on Indian liquor passed at the tariff rate. As it may be anticipated that the loss under the head of 'License fees' in the current year will be counterbalanced by receipts next year under the head of 'Duty', the estimate for next year appears to be reasonable and perhaps moderate in view of the better harvests. Of the total revenue of 170 lakhs, 90 lakhs, or more than half, come from country spirits, nearly 30 lakhs from *ganja*, 27 lakhs from *opium*, 12 from *tari*, 6 from *pachwai* and 4¾ from license fees for selling foreign liquors and duty on Indian-made liquors excised at tariff rates.

"Hon'ble members will remember that these figures do not include about 30 lakhs of import duty on foreign liquors collected under the head of 'Customs revenue' which will be much increased next year on account of the increased tariff.

"Of the total excise revenue of 170½ lakhs, the provincial share is one-half or 85¼ lakhs.

"I turn to the expenditure figures. The expenditure for next year is estimated as 8¾ lakhs, half of which is provincial. The increase of expenditure in recent years is due partly to improvement of the pay of the permanent establishment and to better allowances sanctioned for Deputy Collectors, but is chiefly due to the employment of additional temporary establishment which will eventually have to be made permanent in districts in which the contract distillery system has been introduced, and to the construction of a number of warehouses in connection with the system. A similar increase of expenditure is contemplated in 1910-11 in consequence of the extension of the district distillery system in Bihar, and there is an additional item of Rs. 6,000 on account of the pay of the distillery expert whose services are shared between Bengal and the eastern provinces. Reference is made to this special item of expenditure on page 69 of the Financial Statement."

The Hon'ble MR. W. C. MACPHERSON also introduced the following head :—

Expenditure—

6. Stamps.

He said :—"I introduce, Sir, the figures relating to expenditure under the head 'Stamps.' They are to be found on page 40 of the Financial Statement. It will be observed that it is estimated that the expenditure of next year will be Rs. 5,04,000, against Rs. 4,70,000, the revised estimate for the current year. The difference is chiefly in regard to discount and the cost of stamp paper. Half of this expenditure is Imperial and half is Provincial."

[*Mr. W. C. Macpherson; Mr. Gourlay.*]

The Hon'ble MR. W. C. MACPHERSON also introduced the following head:—

Expenditure—

10. Assessed Taxes.

He said:—"I present the figures relating to assessed taxes, that is, Income-tax. They are to be found on page 42 of the Financial Statement which shows charges of Rs. 1,63,000 for next year against Rs. 1,55,000 for this year. These charges, too, are half Imperial and half Provincial. There is nothing special in the figures to which I need draw attention."

The Hon'ble MR. GOURLAY introduced the following head:—

Expenditure—

19A. Courts of Law.

He said:—"It falls to me to lay before the Council the principal features of the Financial Statement so far as it concerns the Courts of law. The minor heads of expenditure will be found on pages 46 and 47 of the Financial Statement. There is a net increase of 3·37 lakhs in expenditure. The estimate amounts to 8·½ lakhs, of which the High Court accounts for 14½ (an increase of ·45), law officers 5 lakhs (an increase of ·42), Civil and Sessions Courts 35 lakhs (an increase of 1·54), and Criminal Courts 24 lakhs (an increase of 2·40). Out of the gross increase (which amounts to 4·78 lakhs), 3 lakhs is due to the provision for the improvement of the prospects of ministerial officers in Civil and Criminal Courts. This is to give effect to the recommendation of the Ministerial Officers' Salaries Committee. The scheme has been sanctioned by the Secretary of State, and will take effect from the 23rd of May, 1909. A portion of the cost of the scheme has already been provided for by the grant of personal allowances: of the remainder of the cost, the arrears of 1909-10 are estimated at one lakh, and the total cost for 1909-10 at two lakhs.

"Under the minor head which provides for the High Court, there are but two items which appear to call for special notice,—the first is the provision for a Registrar of Insolvency and the revision of the establishment of the Insolvency Court. On the 1st of January, 1910, the new Presidency Towns Insolvency Act, III of 1909, came into force. The new Act and the new rules introduced changes of procedure and practice which added considerably to the work done by the Insolvent Court under the old Act, and the delegation of some of the powers of the Court necessitated additions to the present staff. Accordingly the appointment of a Registrar on a salary of Rs. 1,500 to Rs. 1,800 per mensem and of a chief clerk has been created. The other item is the provision of Rs. 5,500 for the establishment of the fifteenth Judge recently added to the High Court.

"The next minor head provides for the law officers of the Crown. Under this there is a provision of Rs. 16,320 for the Lady Adviser to the *pardanashin* proprietors under the Court of Wards. The Lady Adviser was appointed in 1904 on a retaining fee to advise *pardanashin* ladies, and the work done by her has been so much appreciated that it is now proposed to make the post permanent and pensionable. The charge has hitherto been paid directly by the estates concerned, but now appears in the budget for the first time. It is not in reality an additional item of expenditure, since the charge will still be met from the recoveries from private estates, which will be credited under provincial rates, and one quarter of the charge will be recovered from the Government of Eastern Bengal and Assam.

"A provision of Rs. 5,000 has been made for the fees for the defence of paupers in murder cases. This requires few words from me to commend it. The object is to provide, at the expense of the State, proper legal advice to men accused of murder who have not the means to procure it for themselves.

"Under the minor heads 'Civil and Sessions Courts' the principal new item is a provision of Rs. 53,000 for the salary and establishment of the recently-created post of District and Sessions Judge of Manbhum-Sambalpur. When the district of Sambalpur came over to Bengal in 1905 it was attached to the Judgeship of Cuttack. But it was neither in the interests of efficiency or economy that the Judge or the parties should be compelled to make a journey occupying from 24 to 36 hours before the judicial work could be disposed of. It had also long been felt necessary to relieve the Judicial Commissioner of Chota Nagpur and the District and Sessions Judge of Bankura of some of the work which they were called upon to perform. The Sessions Judge of Bankura formerly heard the sessions cases of Singhbhum and Manbhum at Purulia, and the other work of these two districts was performed by the Judicial Commissioner of Chota Nagpur. By the creation of the new Manbhum-Sambalpur Judgeship all these difficulties have been solved. The Judge has his headquarters at Purulia, but will spend one month in every quarter in the district of Sambalpur.

"The fire which took place in the Civil Court at Chapra brought to light the necessity for providing Civil Courts with fire-extinguishing appliances. Accordingly a sum of Rs. 10,000 has been provided for supplying buckets and fire grenades, etc., to 120 Civil Court buildings in the Province.

"Another important item which comes under the minor head of 'Criminal Courts' is a provision of Rs. 12,090 for establishment in the Courts of Honorary Magistrates. In the past it has been the custom, in many cases, for a clerk of the regular establishment to undertake the Bench work in return for a small extra allowance; but it was felt that Honorary Magistrates who give their work for nothing were entitled to a proper establishment, and that the work ought to be done by the regular establishment of the office as part of their regular duties. This has, in many cases, entailed the addition of an extra clerk to the local staff. A sum of Rs. 10,626 is provided to meet the cost of the extra establishment sanctioned in 1909-10, and the balance is for additional requirements which may be sanctioned during 1910-11.

"The increase of Rs. 21,000 in the provision for process-serving establishment of Criminal establishment is apparent rather than real. Formerly two-thirds of the cost of the process-serving establishment was debited to Land-revenue and one-third to the head 'Law and Justice.' To simplify accounts, the procedure followed in allocating the cost of the staff, employed partly in revenue work and partly in criminal work, has been followed and half debited to each department.

"The amount of money available for new works is very limited, but it has been found possible to provide money for three urgent projects. The first of these is the building of a new record-room for the District and Sessions Judge at Purnea. The congested state of the Purnea Judge's record-room was brought to notice by the High Court as far back as 1905, and the provision of extra accommodation has become an urgent necessity. The project provides for a centre room with two wings, and it is proposed to build the centre room and one wing at present. The second project is the extension of the present Civil Court buildings at Khulna at an estimated cost of Rs. 65,000. Since the new Judgeship was created in 1908, the judicial staff have had to work for the greater portion of the year in tents, and when these became uninhabitable they found accommodation in the verandahs of the old Court building. The provision of a proper Court for the new Judge is a matter of urgency. The old Cuttack Civil Court building dates from 1811, and the original rooms in which the Court was held in those days have been gradually enlarged by breaking down the walls, building up verandahs and making additions which have rendered the main Court-rooms almost uninhabitable. The new Civil Court, which is estimated to cost 1½ lakhs and for which a sum of Rs. 52,617 is provided in the estimates for 1910-11, will be situated near the Revenue Court buildings and close to the Commissioner's house on the banks of the river, and I am sure that the Hon'ble Members who represent the Orissa Division will welcome this improvement of their capital."

[*Babu Deba Prasad Sarbadhikari.*]

The Hon'ble Babu Deba Prasad Sarbadhikari, with the leave of the President, withdrew the following Resolutions of which he had given notice:—

"The Council recommend to the Lieutenant-Governor that provision be made in the Budget for an additional sum of Rs. 50,000, under the heading 'Courts of Law,' for improvement of the status and prospects of the Provincial Judicial Service of Bengal on the following lines and in the following manner, or such other lines and manner as may commend themselves to the Government:—

(*a*) By creating a new grade of Rs. 500 for Munsifs who exercise jurisdiction up to Rs. 2,000, or by providing for a personal allowance of Rs. 100 each for officers exercising such jurisdiction.

(*b*) By raising the pay of the lowest grade of Subordinate Judges to Rs. 700, or, in the alternative, by reducing the number of Subordinate Judges in the lowest grade on the existing pay from 25 to 15, and proportionately increasing the number in higher grades.

(*c*) By providing for the grant of privilege leave on full pay, by allowing privilege leave to be added to the Puja vacation, by allowing reasonable joining time when officers are transferred during short vacations, by providing for officers' quarters where none exist, and by reducing the rent where quarters have been provided, by increasing the numerical strength of the service, by providing for employment of a larger number of Subordinate Judges as District and Additional Sessions Judges and Assistant Sessions Judges, who should be allowed to draw two thirds of the salary drawn by members of the Indian Civil Service holding similar appointments, and by providing for special pensions in the case of meritorious officers earning the prize appointments of their service.

"The Council further recommend to the Lieutenant-Governor that the 'Grants placed at the disposal of Divisional Commissioners for petty local works of improvement' be reduced by Rs. 50,000."

He said:—"As your Honour has just pointed out, under the new rules a general discussion as to matters arising out of the Financial Statement is at this stage not permissible, and we are much obliged for the latitude just accorded for the time being. I, therefore, crave permission to say a few words by way of explaining my reasons for giving notice of the Resolution which stands in my name. I desire in the first instance to express our great obligation for facilities provided for discussing and proposing alterations of the items in the Financial Statements under those rules, which your Honour has been largely instrumental in securing for us. In the second place, I desire to congratulate your Honour and your Honour's Government on securing favourable terms from the Government of India and making the best of the available resources, which has made a financial equilibrium of the Province possible. Last year I had occasion pointedly to take exception to the inclusion of the fifty lakhs of rupees earmarked for the Calcutta Improvement Scheme in our apparent working balance, which I claimed was purely trust money, in no way available for the current Provincial purposes, and therefore forming no part of the working balance, and my view did not quite commend itself to the Hon'ble Mr. Oldham, then in charge of the Financial portfolio. But there has since been a change of view in the Financial Secretariat regarding this matter, and our present Finance Member has been pleased to state in his informing note on the Financial Statement now before the Council, on the vigour and clearness of which I desire to congratulate him, that 'our balances are at present swollen fictitiously by the inclusion of the sums' which I mention. We fully and cordially share the views of your Honour and your Honour's Government about the doubly regrettable need of spending

large sums of money on the imperatively urgent work of stamping out disorder and lawlessness, the penalty for which has to be paid by the country at large in the shape of straitened Educational, Sanitary, Public Works and Judicial Departments. We rejoice and are thankful that in spite of depleted balances and limited resources it has been possible to make increased educational, medical and sanitary grants and grants for the long-needed bettering of the medical service and the ministerial department of our law courts and Secretariats, all which spell increased administrative efficiency. Many of the matters that I and my colleagues on the old Council have been pressing on your Honour and your Honour's predecessor during the last few years have thus received attention, and if all have not been dealt with to the full measure of our expectation, it is not because of want of sympathy or willingness to assist on the part of Government, but of want of its resources.

"Those of us that have not been members of the Finance Committee brought into existence under the new rules have not had time enough to go into the details of Financial Statement with sufficient care so as to be able to formulate considered suggestions in time and submit notes that would be of use to the officers concerned in the different departments. This will account for the hurried character of some of the suggestions and recommendations made, and probably for the embarrassing position in which I find myself today in being singularly isolated as a proposer of propositions that under the circumstances stand little chance of being carried. Though we are not free to criticise these rules now, and here, I crave your Honour's permission to bring this to your Honour's notice incidentally so that your Honour may be pleased to consider whether some relief in this direction is not desirable and possible, for example, by allowing more time for examination of the details and by making the papers available during the committee stage to those that do not happen to be members of the Finance Committee, so that their study of the figures and suggestions relating thereto may proceed simultaneously with those of the members of the Committee and be more deliberate.

"One of the outstanding suggestions of the previous years which has not received attention apparently is the proposed improvement of the Judicial service. I called attention to it last year and the year previous, both in connection with the Budget debate and also in separate notes addressed to the Judicial Secretary. I shall not now go over these grounds, but would ask Your Honour's permission to withdraw the Resolution of which I have given notice. Having regard to the fact that no scheme has yet been formulated, though many may have long been under consideration in some shape or another, the interests of the service, which we have all at heart, would probably be best served by not pressing the Resolution now and in connexion with a framed Budget. After the repeated assurances of sympathy given on behalf of Government by the Hon'ble Mr. Gait, the Hon'ble Mr. Streatfeild and the Hon'ble Mr. Richardson,—whom we are glad to have once more in our midst, and who will now be transferred to a higher sphere, where he will be better able to translate his sympathy into solid demonstration,—every one believes and hopes that the improvement of the service is engaging the anxious care of the Government. Till, however, the full scheme is ready and sanctioned, little useful purpose will be served by securing a budget grant, even if the Council agrees to my Resolution and the President accepts it. I, therefore, ask permission, Sir, to withdraw the Resolution.

"And under the ordinance of grace which Your Honour has just been pleased to pronounce with regard to the order of the debate of the day, I would ask Your Honour's permission to draw the attention of the Council to two matters my Resolutions regarding which had to be disallowed because I could not sufficiently indicate the sources from which the proposed grant should be made. I do not know whether I am at liberty to do so."

THE PRESIDENT said:—"I am afraid the Hon'ble Member would not be in order in making any reference to Resolutions which have been ruled out of order. But if he can frame his remarks in such a way as not to conflict with the rules, I am sure the Council will be pleased to hear him.

[*Babu Deba Prasad Sarbadhikari; Babu Baikuntha Nath Sen.*]

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—"Sir, the most important of these Resolutions relates to the strengthening of the office establishment of the Original Side of the High Court. The ministerial departments of the Lower Courts and of the Appellate Side of the High Court have received a welcome and necessary accession of strength. The Deputy Registrar of the Appellate Side has been given an allowance, the Private Secretary of the Hon'ble the Chief Justice, figuring in the budget as the Chief Justice's clerk, has also been given an allowance, and there has been other necessary increase in the Appellate Side of which we are glad. The Original Side offices, however, have been long neglected, though in the place of one Court for which they were originally constituted and meant, they have to deal with the work of three Courts, and the work is steadily on the increase. I pressed this matter on the attention of the Council last year and in the year previous, and do not now wish to go into details. If a scheme for the strengthening of this department has not been already drawn up, it ought not to be longer delayed.

"As I was listening to the Hon'ble Mr. Gourlay explaining the necessity of making Purulia a full district, there appeared to me to be a peculiar fitness of things in this honour being conferred on the district during the *regime* of a Lieutenant-Governor who did so much for that district, for which he has so kindly feelings and associations and with which his early career was closely identified. In going to Purulia recently, Your Honour may have seen the new Court-house at Asansole which requires many conveniences for litigants and the profession. The public is in no way reconciled to the transfer of the Courts from Ranigunge, and the best way of popularising the Courts would be not to let these inconveniences continue. A small sum of three or four thousand would re excavate the tanks in the Court compound, supply the necessary sheds and conveniences for the public and the profession, and otherwise improve the arrangements. If I am permitted to bring to the notice of this Council the present needs of those Courts, it may be that the department concerned will be able to take action on it, whether a Resolution on the subject is passed or not, and I ask for such permission. I am glad and grateful, Sir, that my pressing request last year,—a request that I ventured to make even in the presence of the Hon'ble Mr. Das,—for reconstruction of the Cuttack Courts, the deplorable condition of which could not possibly fail to strike all who had occasion to go near them, has at last borne fruit, and Orissa ought to rejoice that its capital will soon have fitting Civil Court buildings. There has been considerable accession of strength all round, and we have every reason to be grateful. I am afraid that the suggestions that I wanted to make to-day for improvement of the Judicial Service may not find present acceptance, and I hope that, by withdrawing the Resolutions now, Sir, I shall have not only the assent of this Council, but also their acceptance at the hands of Government when I next move them on an early occasion and in another shape."

"The Hon'ble BABU BAIKUNTHA NATH SEN said:—"With Your Honour's permission, I wish to make a few remarks. I gave notice of a Resolution which unfortunately through oversight did not provide a counterbalancing decrease in other items. I received a copy of the Financial Statement on the 6th instant, and I did not send out my notice on the 7th. Of course, through inadvertence for my not having as yet studied the rules carefully, I made an oversight, and Your Honour was perfectly justified in disallowing the Resolution, which did not suggest the resources from which the excess amount might be recruited. I am glad, however, to find that my hon'ble colleague, Babu Deba Prasad Sarbadhikari, did give notice of a Resolution for the improvement of the prospects of the members of the Provincial Judicial Service in Bengal. Now I am glad that Your Honour has given me an opportunity to say a few words in regard to it.

"In April, 1908, Mr. Streatfeild, the then Judicial Secretary to the Government of Bengal, observed:—'The Government is fully aware that the officers of this service have genuine grievances; their cases are receiving consideration; and any reasonable proposal for the removal of hardships will always receive sympathetic consideration.'

[*Mr. Gourlay.*]

"These Judicial officers are hardworked, and in my humble opinion, they are not properly paid. I intended to suggest that special provision might be made for a certain sum of money so that steps might be taken in future for the improvement of the pay and prospects of these officers. There are now 176 Munsifs in the cadre. Of these, 25 are doing the work of Subordinate Judges. They have been invested with powers to decide cases over Rs. 1,000 and below Rs. 2,000, so that practically they are doing Subordinate Judge's work. If that work had to be done by Subordinate Judges, there would have been required at least six Subordinate Judges. These Munsifs work as Munsifs and partially as Subordinate Judges, and they receive no remuneration whatsoever for this. It is but just that they should be given some remuneration for this work. What I intended to suggest, and what was in fact suggested by my hon'ble colleague, Babu Deba Prasad Sarbadhikari, is that there should be a grade of Rs. 500 for Munsifs. If there be a grade of Rs. 500, and if 25 Munsifs be raised to that grade, that would give an increase of Rs. 2,500 per mensem, or Rs. 30,000 annually. Similarly with regard to Subordinate Judges, as matters at present stand, no officer can be made a Subordinate Judge until he has served for at least 23 years, and a Munsif cannot be made permanent until he attains the age of 23 years under the existing rules; so that by the time an officer becomes a permanent Subordinate Judge he attains the age of 52. He has therefore very little chance to reach the first grade of Subordinate Judges on Rs. 1,000. It is highly desirable that the pay of the lowest grade of Subordinate Judges should be raised to Rs. 700 instead of Rs. 600, so that they might reap the benefits of the valuable services they render to Government. With these remarks, I beg to submit that I would have supported my hon'ble friend, Babu Deba Prasad Sarbadhikari, if he had moved his Resolution."

The Hon'ble MR. GOURLAY said:—"Every service is capable of improvement, from the highest to the lowest, and the members of every service are naturally anxious for the improvement of their pay and prospects; but there must be some general principles upon which such a question can be considered. When a new service is created the point for consideration is, first, the class of man who is required, and then the terms upon which such men can be recruited.

"When the question arises of the improvement of the terms of the service, the improvement is usually advocated on one of two grounds: either the service has deteriorated and it is necessary to offer better terms in order to stimulate recruitment, or the terms of similar services have for other reasons gradually improved, and it is desirable to allay discontent by bringing the prospects of one service to the level of the other.

"It has not been suggested, I understand, that our present Provincial Judicial Service has deteriorated, and it is on the second ground that the improvement is advocated. The comparison is naturally made with what may be called the sister service, the Provincial Executive Service, and I shall examine shortly some points which have been suggested in this comparison.

"The first point in any service which attracts notice is the pay and prospects of the officers who join, and it has been suggested that the pay and prospects in the Judicial Service are not as good as those in the Provincial Executive Service The actuarial calculation of the value of pay and prospects of different periods of a man's service is very difficult, but there is a rough and ready method which gives sufficiently accurate results for all practical purposes, and that is by dividing the total of the salaries of all the officers in the service by the number of officers. We thus get a figure which represents the average pay of an officer in the service. If this calculation be made, it will be found that the average pay of the 353 officers in the different grades of the Provincial Executive Service is Rs. 370 per mensem, while the average pay of the 208 officers in the seven grades of the Judicial service is Rs. 375 per mensem. It would, therefore, appear that the Judicial officer has a slight advantage.

[*Mr. Gourlay.*]

"It is quite true that the Judicial service has only three grades above Rs. 400, while the Provincial service has four, but 18 per cent. of the officers of the Judicial service draw pay of Rs. 600 or over, while only 9 per cent. of the Provincial service draw Rs. 600 or over. If we go higher the distinction is still more marked, for less than 2 per cent. of the Executive officers draw a salary of Rs. 800, while 7 per cent. of the Judicial officers draw Rs 800, 2½ per cent. of whom are in a grade of Rs. 1,000. The highest grade to which an Executive officer can rise is Rs. 800.

"The fact of the matter is that the promotion of the officers of the Judicial service in their earlier years is not so good as that in the Executive service; but the Judicial officers have prospects in their later years far superior to the Executive officers.

"There is another matter too. The prizes of the two services are the listed appointments,—appointments ordinarily held by members of the Civil Service to which the Provincial Service are promoted. At the present time there are seven such appointments: three of them are held by Executive officers and four by Judicial officers, and the chances of a Judicial officer obtaining such an appointment are 2½ times as great as those of an Executive officer. Executive officers have sometimes the chances of such appointments as the Inspector-Generalship of Registration, but the prospects of such appointments are more than counterbalanced by the higher grades of pay in the listed appointments open to the Judicial officers.

"If the comparison be made with the Eastern Bengal and Assam Judicial Service as at present constituted, the calculations show the superiority of the Bengal service. The rough and ready method gives an average pay of Rs. 369, including the new grade on Rs. 500. The percentage of Subordinate Judges to Munsifs is less than in Bengal, and I think if the members of the Eastern Bengal and Assam service were given the opportunity, they would elect for service in Bengal."

"The next point of importance in a service is the amount of leave to which an officer is entitled. If the officers of the Provincial Executive Service were consulted, I think they would be unanimous in thinking that the advantage in the matter of leave rests with the Judicial. We will exclude Sundays from our calculation. The Judicial officers have 97 holidays in the year, including a vacation extending to 33 days, while the Executive officers have only 37 holidays, and it must be remembered that while the Judicial officer is usually free from care on his holidays, the duties of the Executive officer very often monopolise most of his time. An Executive officer qualifies for one month's privilege leave on full pay every year, but the exigencies of the services very often interfere with the privilege; on the other hand, a Judicial officer has a vacation on full pay extending to 33 days with which nothing interferes, and in addition to this he qualifies for one month's privilege leave on half pay in cases of emergency. So far as leave is concerned, therefore, the Judicial service certainly has the advantage.

"The rules for joining time are the same for all services, but joining time cannot be regarded as leave on full pay to which an officer is entitled. It is the amount of leave which is ordinarily required to make arrangements and to travel from one point to another. It seldom happens that an officer has no previous warning of his transfer, but where the transfer involves the up-rooting of an officer's home, he is expected to commence making his arrangements before the day he hands over charge of his duties.

"The question of the provision by Government for quarters for its officers is a very large one. Only one class of officer in these two services, so far as I am aware, is entitled to free quarters, and that is the Subdivisional officer. There are at present about 47 members of the Provincial Executive Service who are in charge of subdivisions, and in respect of quarters all the other members of both services are on an equality. I do not think that the fact that 47 of the officers out of the total of 353 are provided with free quarters can be considered to out-balance the other advantages of the members of the Provincial Judicial service, and to counterbalance this advantage, it must be

remembered that these 47 officers are continually on duty, and that they are very seldom able to avail themselves even of the ordinary executive holidays.

"There are one or two other minor points to which reference has been made. It has, for example, been suggested that Subordinate Judges and Munsifs should be authorised to appoint the ministerial officers of their own Courts, but I do not think that in this respect the members of the Judicial service are worse off than their brethren in the Executive service.

"Finally, I would remind the Hon'ble Member that quite lately a very great concession was made to the Judicial service. Last year sanction was obtained permitting Munsifs to count towards pension the officiating period of their service. This concession has, I believe, been very greatly appreciated by all the members of the service.

The Hon'ble BABU BHUPENDRA NATH BASU said:—"With Your Honour's permission I wish to say a few words with reference to what has fallen from my Hon'ble friend, Mr. Gourlay. He said that in case of appointments from Rs. 600 and upwards, the percentage in the Judicial service is 18 and upwards, and in the case of Executive officers the percentage is 9. Would he kindly enlighten us as to what the percentage is above the grade of Rs. 400? As my Hon'ble friend Babu Baikuntha Nath Sen has pointed out, Judicial officers do not get into the grade of Rs. 600 until they are on the verge of extinction, *i.e.*, when they are 52 years old, and then from the age of 52 to 55 years there is a regular rush through these three grades. Like the pictures on the canvas which some of my friends may have witnessed on the maidan bioscopes they come and go. They rise to the posts of Subordinate Judges at 52, and if they live up to the age of 55, they run through these three grades, and then they go out. So that it is not by the higher grades that the prospects in the service are to be judged. I believe, and the general impression is, that it is difficult for these men in the Judicial service, after they come into the grade of Rs. 400, to get to the higher grades, and when they get to the higher grades it is of little use to them. We do not wish that the members of the Executive service should be deprived of any privileges or advantages that they enjoy in reference to the members of the Judicial service. All that we press for is that some consideration ought to be shown for the members of the Judicial service also. My Hon'ble friend will not forget that the members of the Executive service have, besides their pay, travelling allowances. They have to go out on tour and thus relieve themselves of the monotony of Judicial work at head-quarters; whereas these Munsifs and Subordinate Judges are held down to their desks year in and year out, and upon these desks they wear their lives away.

"As regards leave, my Hon'ble friend forgets that because these unhappy officers have these thirty-three days which they can avail of, a great distinction is made and half their pay is cut. Judicial officers do not get the full pay of their post when they take privilege leave; whereas Executive officers get full pay. As regards the necessity of some leave occasionally to Judicial officers, my Hon'ble friend is probably not unaware that a very high Judicial authority once said that judicial notice might be taken of the fact that all our Judicial officers or most of them were subject to that fell disease of the tropics diabetes, and they are compelled to take leave oftener than the Executive officers are. In calling the attention of the Council to the grievances of the Judicial servants, I do not by any means wish to suggest that there should be any curtailment of the privileges and advantages of the members of the Executive service, but all that we wish is that their lot and position may receive more careful consideration at the hands of the Government."

The Hon'ble MR. DUKE introduced the following heads:—

Revenue—

XVII.—Police.

Expenditure—

20. Police.

[*Mr. Duke.*]

He said:—"I have now, Sir, to introduce the figures relating to the Police Budget. They appear as head No. XVII, on the receipt side, page 29. There is very little on the receipt side that calls for observation.

"The sanctioned estimate for 1909-10 was Rs. 1,45,000. The estimate revised stands at Rs. 1,89,000, and the estimate for 1910-11 amounts to Rs. 1,67,000. Practically the whole of this may be accounted for by the extent to which preventive police have had to be appointed. They have been appointed in rather large numbers during the current year, and it was estimated that in the coming year a more restricted use of this measure will suffice.

"I turn now to the expenditure side, page 49. The first point to which I will draw attention is that the Budget for 1909-10 provided for an increase of 3½ lakhs (Rs. 83,78,000 as against Rs. 80,26,000) over the actuals for 1908-09, so that in fact the revised estimate for 1909-10 falls somewhat short of the previous year's actuals.

"The decrease in the revised figures is due to decreases under the heads District, Village, Special and Railway Police, and to a very great extent it is due to savings in the grant for grain and conveyance allowances, savings in constables' pay owing to the force not being up to establishment, and to the failure to entertain additional Railway Police up to the numbers budgeted, and also to considerable savings under contingencies. The decreases extend to Rs. 4,63,000 under the head District force, Rs. 4,000 for Village Police, Rs. 2,000 for Special Police, and Rs. 33,000 for Railway Police. Against this, there is an increase under Presidency Police and Superintendence, and under the Criminal Investigation Department, which comes to Rs. 1,29,000. Altogether the Presidency Police accounts for Rs. 51,000, that for Superintendence Rs. 17,000, and that for the Criminal Investigation Department Rs. 61,000, so that the result is a net decrease of Rs. 3,72,000. These fluctuations will be explained in more detail under their respective heads, except as regards the Presidency Police; any explanation for which that may be required will be given by the Hon'ble Mr. Halliday.

"The Criminal Investigation Department has had to be reorganised and expanded to meet changing circumstances: many officers have had to be added to it, and there has been for some years a steady increase of expenditure under this head.

"The reasons for this are well understood by the Hon'ble Members, and I need not go into details. It is enough to say that the necessity is on the Government to make adequate provision in this direction.

"I will take now the remaining heads in order. The charge under Superintendence requires very little consideration: the charge amounts simply to the provision for the Inspector-General and Deputy Inspector-Generals and their establishment, and I can say no more than appears in the remarks column.

"We come to the principal head—the District Police Force, under which are grouped the charges on account of the main body of the Provincial Police. The figures are large: the force we are dealing with consists of over 22,000 men, and therefore I am not going to take you into details. The decrease in the revised figures for 1909-10 was Rs. 4,63,000, which is to be attributed to savings under Grain compensation allowance, which was not less than Rs. 2,20,000, and to the fact that the lump grant of Rs. 2,65,000, which had been provided for carrying out reorganisation, that is to say, that the general improvement of the Police recommended by the Police Commission had to be hypothecated to meet charges of the Criminal Investigation Department, except that portion of it which was assigned for the improvement of the Beat Police in Calcutta. Under Salaries—Gazetted Officers, the increase of Rs. 20,000 is due to the strengthening of the force by recruitment under the orders of the Secretary of State, and these appointments were necessary in order to bring the number up to the strength prescribed by the Police Commission. The total cost under that head for 1910-11 is Rs. 21,600, and provision has also been made for six Deputy Superintendents at a cost of Rs. 4,800. As regards the rank and file, a very important item is an increment of

Re. 1 per month to 9,580 constables, which we are pledged to give in order to carry out the recommendations of the Police Commission regarding the better payment of the force. The amount to be paid to the constables will account for Rs. 88,650 out of the total increase under this head. This increment has been long overdue: it was to be made in 1909-10 out of the lump provision for Police reforms, had not more urgent requirements intervened. The further postponement of the increment would be a breach of faith; and as recruiting for the force is none too easy in spite of the improvements for the last few years, the charge is urgent.

"A provision of some importance is that for 30 more Sub-Inspectors in furtherance of the scheme for the better efficiency of the force, and that will leave 30 more Sub-Inspectors to be added to complete the establishment. Two more armed Inspectors are required for Jessore and Angul to bring up the armed force to the full establishment. The decrease of Rs. 4,000 in training schools is due to the transfer of 3 Sub-Inspectors and 14 head-constables from training schools to the District Police. The training school establishment had to be increased with reference to the accelerated recruitment which followed and the adoption of the Commission's proposals. A large number of men were taken in each year, and now that enlistment has gone back to its normal rate, the excessive training staff no longer required in the school has been reduced. Under this head a provision of Rs. 6,000 appears for the management of the Doranda Cantonment at Ranchi, which has been taken over entirely by the Police Department. We are fortunate this year in being able to estimate for a decrease of Rs. 1,74,000 on account of grain compensation allowance, which has fallen very heavily upon us for a number of years.

"Supplies and Services is an important head under which there is an increase of a lakh. The principal item is the provision of two lakhs for petty construction and repairs, as against one and-a-half lakhs for last year. A great part of this sum is required for the provision of quarters for Sub-Inspectors. Every Sub-Inspector ought to have free quarters, but at present, out of the total number of 1,525 Sub-Inspectors, 500 still need to be provided with quarters, and that results in our having to pay out large sums as house-rent.

"Out of the figure provided this year for contingencies, no less than Rs. 40,000 is intended to pay house-rent for Sub-Inspectors. This is bad finance, and only excused by the stringency of the last few years. We have to make provision for housing of the 30 additional Sub-Inspectors to be entertained during the year. This will cost Rs. 33,000, and is provided for under petty construction and repairs. We have also to provide for the housing of the constables who are everywhere replacing the town chaukidars. Outside petty construction and repairs, the principal item under Supplies and Services is Rs. 58,500 to provide a serviceable steam-launch, which is urgently required in the 24-Parganas. The launch at present used is unserviceable and incapable of going into big rivers. For a long time the 24 Parganas had no launch, and great inconvenience has been felt. The launches formerly used have more than once been swamped and officers placed in great danger. At the present moment it has been possible to provide temporarily for a launch fit for the work. This will have to be withdrawn for other work, and therefore provision has to be made for a new launch.

"Contingencies have been kept very low during the current year, and the only point of importance in connection with them is the house-rent of Sub-Inspectors.

"Before leaving the Police Budget proper, I desire to give you a collected view of those fresh items of expenditure to be incurred in furtherance of the reforms recommended by the Police Commission. The total cost of these reforms spread over a considerable number of years is estimated at Rs. 32,42,400 for recurring and Rs. 21,44,000 for non-recurring charges. Out of these total figures, the following charges will still remain to be provided for in the year 1910-11 and in succeeding years, that is, Rs. 9,23,522 and Rs. 14,25,322 respectively. The difference between these and the total sum has already been provided. It will be observed therefore that a great deal of ground has to be

made up before the Police Force can be brought up to the point of efficiency required by the Commission. In the original budget estimate for this year it is not possible, owing to financial stringency, to provide any very large sums towards these reforms, and the provision actually made on this account will be found included in the second statement on page 13.

"The principal items are the appointments of Assistant Superintendents (Rs. 21,600), and house allowance for Sub-Inspectors (Rs. 40,000).

"Subsequently, at a later stage in the preparation of the Financial Statement, the Government of India found it possible to allot a further assignment on this account.

"The sum granted last year was fourteen and-a half lakhs. This will be repeated for 1910-11, and the whole of it goes to schemes already initiated. But in addition to this the Government of India has now granted us Rs. 3,17,000, and that makes the grant up to the maximum limit they have undertaken to give for the furtherance of the Police reform. The Finance Committee had accordingly to decide what further expenditure should be incurred against this additional assignment, and the items selected are shown in the first statement on page 13. The amount allotted for the Mufassil Police, excluding Calcutta, is Rs. 2,07,260. The Government of India in making the grant of Rs. 3,17,000 had in view the extreme financial stringency prevailing in the Province, otherwise they probably would not have granted the whole remaining portion of the contribution within one year, and in doing so they did not insist that the whole amount should be spent in reforms immediately, and accordingly a portion of the amount has been diverted to other urgent administrative needs, and the Police Department in future years will have a claim to have that sum again reimbursed. The only other points to which I need refer are the few schemes for the improvement of Police buildings which principally concern the Police Department. They appear at the middle of page 17, and I think they hardly call for any remarks: it need only be said that the accommodation in the Police barracks at Khulna is totally inadequate, and a new barrack has to be provided, and as for the other schemes, they are simply the reconstruction of already existing buildings, which are dilapidated and insanitary.

"The Hon'ble Mr. Halliday will give the explanation necessary regarding them."

The Hon'ble Mr. HALLIDAY said:—"There are only a few items in connection with the Presidency Police on which I may offer a few explanatory remarks.

"The first of these will be found on page 5 of the draft Financial Statement.

"A small sum of Rs. 1,800 is provided. This is to complete the grades of Inspectors as sanctioned by the Secretary of State.

"Another item, Rs. 34,640, has been provided for the improvement of the beat system for Calcutta and the Suburbs of Calcutta. This system was sanctioned by the Secretary of State on the 20th September, 1908, on the recommendation of the Police Commission. It was partially introduced in the 3rd Division of the Town and in the Southern Division of the Suburbs of Calcutta last year at the cost of Rs. 37,568, and the sum now allotted will enable the system to be introduced throughout the remaining portion of the Town and in the Northern Division Suburbs.

"Shortly described, the system increases the number of constables in the Northern and Southern Suburbs of Calcutta, the Police Force for which has remained stationary since the year 1887, that is, for the past 22 years.

"The rapid growth of the Town and the urban character that the Suburbs are now assuming is likely to be intensified on the introduction of the Calcutta Improvement Scheme.

"The improved beat system ensures that each squad of Police placed on beat duty is under the direct supervision of a Head Constable who marches the squad out, remains with it throughout its term of duty, and returns with it to the Police-station, where he makes his report to the responsible officer.

"The system also provides for the greater amelioration in the conditions of service for constables, as it provides that every constable after two nights on duty on the streets will be allowed a night in bed.

"Another item is Rs. 21,000 for the appointment of two Additional Deputy Commissioners for Calcutta sanctioned by the Secretary of State on the recommendation of the Police Commission; the division of Calcutta into four districts under officers of the rank of Deputy Commissioners of Police in place of five divisions under officers of the rank of Superintendent of the Calcutta Police. This disposition is being gradually effected, as officers of the requisite rank are made available for duty in Calcutta. The two Deputy Commissioners mentioned on page 13 have been appointed in accordance with the orders of the Government of India in place of two Superintendents retired.

"A further sum of Rs. 10,000 is for married European Sergeants.

"At present only fifteen married European Sergeants of Police in Calcutta are granted house allowance. As the number of married men is always greater than this figure, it has been decided to raise the number of house allowances to 30, the total force being 100.

"The house allowance previously granted was Rs. 40 a month. It was found that decent accommodation could not be procured within a reasonable distance from head-quarters for this sum. It has therefore been decided to increase the allowance to Rs. 50 a month, and it is hoped that for this figure it will be possible to induce some private person to build a block of quarters which will be leased to Government for the accommodation of married European Sergeants. It is hoped that these arrangements will remove them from undesirable localities where they are now obliged to live, and will at the same time ameliorate the general conditions of their service in Calcutta.

"Another item is the purchase of the Duff College, which appears at page 17 of the Financial Estimate.

"The premises formerly occupied by the Duff College were purchased in July, 1908, with a view to turning them into the head-quarters for the 1st Calcutta Police District, and when the additions and alterations required to make it a combined central station and district head-quarters are completed, accommodation will be available for 22 officers and 126 men.

"As a set-off against the sum to be expended, it may be noted that the force accommodated here will include the Police formerly stationed at the Jorabagan Thana, which building has been advantageously sold for a sum of Rs. 1,83,000, a moiety of which has already been paid.

"The Garden Reach Thana has for many years past had an unenviable reputation for its extreme unhealthiness; and the Police Force stationed there has continually been in a crippled condition owing to the number of men constantly in hospital. It is now proposed to build another Police-station and Fire-station on a healthier site, which has already been acquired, facing the Bengal Nagpur Railway offices. This change of locality will, it is hoped, render the force which is sanctioned for policing this area available for duty.

"A sum of Rs. 40,000 for the construction of the barracks for the Police of Government House and the Imperial Secretariat.

"The present Police-guard for Government House is in Crooked Lane, and is accommodated in some old stables converted into barracks, the increased guards during the cold weather being housed in the vaults below the Town Hall.

"It is now proposed to construct proper barracks for the force required both for Government House and for guarding the Imperial Secretariat Buildings. These barracks will be erected on the Crooked Lane site already in occupation."

The Hon'ble MR. GOURLAY introduced the following heads:—

Revenue—

XVI-B.—Jails.

Expenditure—

19B.—Jails.

He said:—"The next department, the estimates of which I have to lay before this Council, comes under the major head "Law and Justice—Jails." The figures on the receipt side will be found on page 28, No. XVI (*b*). The figures on the expenditure side will be found on pages 48 and 49 of the draft Financial Statement No. 19 (*b*).

"There has lately been a serious falling-off in the receipts from manufactured articles. As the Council is aware, the jail's principal customers are the other departments of the Government, and owing to financial stringency these departments have curtailed their orders with the result that there are at present large stocks in hand. This question will receive the special attention of the department during the coming year, but as the probable requirements, *e.g.*, of the Ordnance Department for tents, are at present not known, it has been thought safer to reduce the estimate of receipts.

"The estimate of expenditure is Rs. 2,26,000 greater than last year: 1·39 lakhs of this increase is due to the opening of the new Presidency Jail, and the rest of the increase is distributed fairly evenly over the minor heads.

"We cannot give up the old Presidency Jail at present, because, even after opening the new jail, we have not enough accommodation for our jail population. Including both the old and the new Presidency Jail we have accommodation for 13,917 male convicts, whereas the average number of prisoners for the last two years has been in excess of this, and the average for the months when the number of prisoners was greatest was nearly 1,500 in excess. Therefore, until more accommodation can be provided elsewhere, it is impossible to give up the old Presidency Jail. I shall return to this subject when dealing with civil works.

"I shall now refer briefly to the main items of interest in the Statement which are new. A provision of Rs. 16,536 has been made for the reorganisation of the jailer service. The sanction of the Government of India has been given to the reorganisation of the staff with fixed rates of pay in place of the old incremental system, and the position and prospects of the staff have been materially improved.

"A provision of Rs. 9,300 is made for providing a clerical staff for civil medical assistants in charge of subsidiary jails. Clerical staff has already been provided for Assistant Surgeons in charge of subsidiary jails, but medical officers of these two ranks are posted to subdivisions, having regard to the general medical importance of the subdivision and not with regard to the importance of the sub-jail. It has been found necessary to provide clerical assistance for the civil medical assistants as well as for the Assistant Surgeons, and thus to relieve them of the routine work of writing up registers and returns and copying letters.

"A provision of Rs. 5,424 has been made for the appointment of circle reserve warders. To improve the Jail Department it is necessary that there should be at the headquarters of each Central Jail circle a reserve of warders under training from which to recruit. A commencement has been made by providing one head warder and 30 warders as a reserve at Alipore, and 1 head warder and 22 warders at Buxar.

"The most important item under the head "Jails" is the provision of two lakhs for a new Central Jail at Monghyr. I have already explained the position. We have not sufficient accommodation for our average male convict population, and it is therefore necessary to increase the jail accommodation by establishing a new Central Jail. It was considered desirable that the proposed jail should be established in one of the Bihar districts, the essential conditions being (1) that it should be easily accessible by railway; (2) that it should be at the headquarters of a district; (3) that it should be near the river; and (4) that the acquisition of the land and the construction of buildings should not be unnecessarily expensive. After consulting the Commissioners of Divisions and the local officers, Monghyr was selected as the most suitable centre, and the Commissioner of Bhagalpur, with the assistance of the Medical, Sanitary, Public Works and Prisons officers, has chosen a suitable site between Monghyr and the Pirpahar. A notification has been issued for the acquisition of 200 acres of land there, and it is hoped to commence the work during the present year.

"Another insistent matter in connection with jail administration is the provision of adequate accommodation in many of our subsidiary jails. Much has been done of late years to improve the Central and District Jails, but a large number of our subsidiary jails are inadequate and call for considerable extension and improvement. I am aware that many of these projects are very urgent, but unfortunately it has not been found possible to provide for more than three on the present occasion. These are (1) the improvement and extension of the sub-jails at Magura in Jessore, (2) Banki in Cuttack, and (3) Banka in Bhagalpur. The other jail projects which it is intended to take up are the improvement of the water-supply in the Buxar Central Jail at a cost of Rs 7,042; the roofing of three wards in the Hooghly district at a cost of Rs. 9,000; the improvement of the present inadequate *hojat* in the Bhagalpur Central Jail at a cost of Rs. 7,345, and the provision of Rs 16,000 for a hospital in Krishnagore Jail. As Krishnagore is one of our unhealthy districts, adequate accommodation for sick prisoners is a matter of urgency. There is one other project: the old Alipore Reformatory has been converted into a juvenile jail. As convict guards are not suitable for juvenile prisoners they will be replaced by paid warders, and for these it is necessary to provide quarters. A provision of Rs. 10,400 has been made for this purpose."

The Hon'ble Mr. Küchler introduced the following heads:—

Revenue—

XIX.—Education.

Expenditure—

22.—Education.

He said:—"Your Honour—I beg leave to introduce the budget referring to education. With regard to the receipts, little explanation is called for beyond what has already been given in the general Financial Statement. The decrease of Rs. 1,78,000 in the revised estimate is mainly due, as already pointed out, to the non-refund to the Education Department of two lakhs of rupees originally allotted to District Boards for the construction of primary school buildings. The revised estimate would otherwise have shown a considerable increase over the sanctioned estimate, chiefly on account of the increased enrolment of students in the Government Arts Colleges, of supplementary examinations by the University of Calcutta for candidates who had failed in the last examinations under the old regulations. This, however, is a temporary phase. An excess of enrolment of students at the Presidency College representing a very considerable increase in fee receipts will, in the normal course, be greatly reduced. Under the head "Miscellaneous" the revised estimate shows a decrease of Rs. 2,50,800. Of this, as already indicated, Rs. 2,00,000 represents the refund from the District Boards, which was anticipated but not received. The defect of the remaining Rs. 50,800 is apparently due to the adjustment of heads under which the receipts have been credited, and is more than balanced by an increase under the heads of "Government Colleges, General and Professorial," and of "Government Schools, General."

[*Mr. Küchler.*]

"Coming now to the expenditure side of the budget, it will be noticed in the first place that the revised estimate for next year, namely, Rs. 59,17,000, shows a very substantial increase over both the sanctioned and the revised estimate for the preceding year, each of which amounted to approximately Rs. 55,50,000. A comparison with the actuals for the three preceding years will further show that the increase of expenditure on education has been continuous. Though, however, the budget estimate for next year exceeds that of 1909-10 by no less than Rs. 3,60,000, the increased cost is due not to the sudden introduction of any schemes involving large individual expenditure, but for the most part to the natural expansion of the needs of already existing educational institutions. Certain allotments have, it is true, been entered as new schemes under the schedule prescribed for the purpose, but in most cases these allotments represent really the enhanced cost for which the general sanction of Government has already been received.

"Before proceeding to discuss the Educational Budget proper, I wish to make a few remarks about those building projects, which, though technically included in the Public Works Department Budget, really represent expenditure on education.

"Probably the most important of the new projects, which are to be taken in hand next year, is the construction of a new Physical Laboratory for the Presidency College. Though the primary object is to meet the pressing needs of the Physical Science Department, the project derives its chief importance from the fact that it practically marks the commencement of a large scheme for the improvement of the accommodation of the Presidency College. It is not absolutely the first step in the execution of the project, as this was taken last year by the acquisition of a plot of land measuring $1\frac{1}{2}$ acres at the cost of Rs. 2,50,000. The scheme itself has now been under discussion for a good many years, and it has been complicated by the consideration of the question as to whether it would not be desirable to remove the college to another site. Before this was settled, it was, of course, impossible to draw up plans for the construction of the buildings, and the delay which has occurred in making a beginning with what all are agreed in regarding as a necessary project is not only due to financial considerations, but also to the cause I have here indicated. On the question of removal, opinions were invited so long ago as 1905. As they gradually came in, it was apparent that they were fairly divided; and in the absence of any preponderance of opinion on one side or the other, Government finally decided to retain the college in its present site. It is unnecessary here to recapitulate the arguments that were advanced for its removal or retention,—clearly there is much to be said on both sides, but I should, perhaps, point out that educational opinion was strongly in favour of removing the college to an open and more secluded site, and that those who were in favour of retention of the present site, were labouring under the misapprehension that it was intended when the college was moved to make it entirely residential. The reason why I refer to this matter at all, which may seem of little practical interest in view of the statement that the question has been decided, is that it is possible that in the interval which has elapsed since the matter was last discussed a change may have come over the opinion of those who were originally opposed to removal. Should this be the case, I would remind the representatives of public opinion here present, and especially those who may be supposed to have the interests of the numerous mufassal students at heart, that the opportunity for an expression of opinion on the part of the public either one way or the other will now speedily pass away. With the assignment of funds made in the present budget, the matter must now go forward; and once the construction of the Physical Laboratory has commenced, there can be no looking back. The scheme itself in its complete form provides for the acquisition of a large additional plot of land, partly for the purposes of a playground, the construction of new laboratories for the Biological and Geological sections, the erection of residences for the Principal and several Professors, as well as of additional hostels for students, and it is obvious therefore that its execution will for financial and other reasons have to be spread over a considerable number of years. In the meantime the provision of a new Physical

Laboratory will not only remove the cramped conditions under which Physics is at present being taught in the college, but will incidentally relieve the congestion of other departments as well by placing at their disposal the space now occupied by the Physical section.

"It will be seen from the budget figures that the building requirements of all Zilla Schools are also receiving attention. The new University regulations have not only necessitated the provision of additional accommodation in many cases, but have also called attention to the defects of construction in the existing buildings. Plans and estimates have been prepared for the alterations and additions which have been found necessary in a number of Government schools, and the work of new construction is being gradually carried out. Of the larger projects of this nature, three have found a place in the present budget. The needs of the Ranchi, Purulia and Darjeeling Zilla Schools are all urgent, many of the class rooms in each of these schools being defective in lighting and ventilation, while their number is insufficient. The provision of a hall and class room for the Darjeeling Zilla School does not, however, complete the whole scheme in connexion with that institution. Further items are the construction of hostels and the preparation of a play-ground, the ground for the latter having already been acquired, but the most urgent needs will now be satisfied, and the further improvements here indicated will be taken up later on. The work of these three schools will, I anticipate, be carried to practical completion before the end of the financial year, and will form a substantial instalment in satisfaction of the demands of the University.

"The claims of Muhammadan education have been recognised by the allotment in the budget of Rs. 50,000 towards the completion of the new Muhammadan hostel, and of Rs. 4,200 for the construction of seven model Maktabs. The necessity of a Muhammadan hostel, as of so many other projects, has arisen from the requirements of the new University regulations. These requirements must at times appear to outsiders as unending; but so far at least as they are concerned with the provision of proper hostel accommodation for mufassal students, they will be acknowledged to be fully justifiable. Each college is required by the regulations to provide hostels for such of its students as do not live with their parents or guardians, but the number of Muhammadans reading in individual colleges being small, it was found difficult on the part of the colleges to comply with this regulation. The University, however, recognises not only hostels and messes attached to particular colleges, but also what are called non-collegiate hostels where students belonging to any affiliated college may reside. It was felt by the Muhammadan community that the wants of its students would be more satisfactorily met by providing a hostel of this type, and it was likewise recognised that this hostel should be associated with the central institution for Muhammadans in Bengal, *i.e.*, the Madrasa. Owing to the efforts of the leaders of the community, certain sums were subscribed towards the erection of the building, and Government having undertaken to supplement the funds so collected, it was found possible to commence the work last year. The allotment in the budget represents the Government contribution for next year. The construction of the building, however, is already well advanced, and it is hoped that the hostel will be ready for the admission of students at the beginning of July next, when the academic session commences.

"The construction of seven model Maktabs forms part of the scheme initiated by Mr. Earle for the general improvement of Muhammadan education. This scheme has received the administrative sanction of Government, and is being brought into operation as funds permit. Effect has already been given to a very considerable portion of it. One of its features was the provision of 13 model Maktabs, that is Maktabs which should be under direct Government management, which in their teaching and general working should serve as a model to the privately conducted Maktabs throughout the province, whose numbers and efficiency it is likewise intended to increase by substantial grants-in-aid. The present allotment in the Public Works Department Budget refers merely to the provision of the necessary buildings for the first instalment of seven Maktabs. When these are completed, funds will be provided for the appointment of the necessary Maulvis and for the equipment of the schools.

[*Mr. Kilchler.*]

"The last item in the Public Works Department Budget affecting education is the provision of Rs. 10,000 for sanitary improvements in the Reformatory School, Hazaribagh. These improvements have been necessitated by the transfer of the boys of the Alipore Reformatory, which has been closed, to the already existing Reformatory at Hazaribagh. The transfer took place in September 1908, and as the population of the Hazaribagh School was thereby increased from 219 to 411, additional works had to be undertaken to meet the increased sanitary requirements of the institution. Much has already been done, especially with regard to the water-supply and the extension and improvement of the latrine system; but, in addition to these items, other essential projects have still to be carried out, such as the provision of better hospital accommodation and of more numerous bathing platforms. The work is naturally urgent.

"I now pass to a brief consideration of the new projects included in the Educational Budget itself. The major projects involving an annual expenditure of more than Rs. 5,000 will best be taken up in the order in which they occur in the schedule on page 75.

"The appointment of an Inspector of Technical Schools and Industrial Education, which has been under discussion for a considerable time, has now finally been given effect to, and Mr. Denning, the officer appointed by the Secretary of State, has arrived in Calcutta and commenced his work. The object of his appointment is two fold. In the first place, he will be entrusted with the inspection of the ever-increasing number of technical and industrial schools throughout the Province, and will assist the Director of Public Instruction in the disposal of questions of technical education. In his inspecting capacity he will relieve the Principal of the Engineering College from the duties which, in the absence of a special officer for the purpose, have fallen on his shoulders.

"The second part of Mr. Denning's duties is concerned with the subject of industrial inquiries. The need has long been felt of an officer whose special duty would be to superintend such inquiries on the part of Government, as well as to assist by information and advice such private persons as are interesting themselves practically in the development of the industries of the country. The appointment of this officer will, it is hoped, remove some of the difficulties of those who are anxious to devote capital and energy to the promotion of particular industries, but who have not the antecedent information without which their enterprise would be of too speculative a character. The subject of industrial development is intimately connected with that of technical education; and as the latter will, for some time to come, form the more immediate part of his duties, the officer in question will, for the present at least, be entirely associated with the Education Department.

"The second major scheme included in the schedule concerns the provincialisation of sub-inspectors previously employed under District Boards. The transfer of these officers was due to the necessity that was felt by Government of giving the Education Department greater powers of control over primary education. Incidentally it has improved their prospects. The allotment in the budget represents the difference between the pay of the sub-inspectors under the District Board and the cost of the new appointments that had to be created in the Subordinate Educational Service.

"The item of Rs. 42,000 in the schedule under the head "Arts Colleges" represents the additional cost that will have to be incurred next year in connexion with the scheme for strengthening the staff of Government colleges. This scheme was the outcome of the (new) University regulations, and received the final sanction of the Secretary of State on 21st May, 1909. It involves the creation of a large number of new posts in the Indian Educational Service, Provincial Educational Service and Subordinate Educational Service, the total cost of which amounts to Rs. 1,40,840. As, however, it was necessary to satisfy the requirements of the University, as far as possible, immediately after the promulgation of the regulations, a number of temporary appointments had already been created in anticipation of the Secretary of State's sanction.

The cost of these temporary appointments amounted last year to Rs. 45,000. The Rs. 42,000 on the schedule represents the additional cost which the introduction of the complete scheme will entail next year. It will be seen that the expenditure for that year, namely, Rs. 87,000, still falls short of the maximum figure, namely, Rs. 1,40,840. This is mainly due to the fact that it will not be possible to recruit several Professors in the Indian Educational Service for the present.

"Under the head of "Government Schools, Special," there is a non-recurring allotment of Rs. 1,00,000 for the construction of the buildings of Guru Training Schools. In December, 1905 a scheme was sanctioned for the establishment of 96 Guru Training Schools in addition to the 96 already existing. It was also decided to provide the schools, both new and old, with much more complete buildings than had been thought sufficient for the original ones. For the latter a sum of Rs. 500 only had been sanctioned, while in the case of the new schools it was decided to construct not only improved class rooms, but also hostels for the pupils and quarters for the pandits at an average cost amounting to some Rs. 5,000. A large number of these buildings have already been erected, but chiefly owing to difficulties with contractors the work of construction has, in many cases, been delayed, liabilities, which should have been met by funds provided in previous years, have had to be carried forward, and considerable allotments will still be necessary to bring the work to completion. We hope in the course of the next year to frame a definite estimate of the expenditure necessary to complete the scheme. In the meantime Rs. 1,00,000 is provided in the budget to carry out existing contracts.

"The provision for the Serampore Weaving School has hitherto figured in the budget in a lump sum for technical education. This school was opened in January, 1909, and I am glad to say is working under conditions which give every promise of a successful future. At the Serampore Institute both the class for weavers and that for more advanced students have settled down to regular work, and under the energetic management of the present Principal we may confidently hope for good results. An important feature of the original scheme was the establishment of outlying centres,—for the present five in number, in addition to one at Sambalpur,—and this will be taken in hand during the coming year. These centres will consist of small weaving schools located in places where there is a considerable population of the weaving class, and the schools will be affiliated to the Serampore Institute. The course of instruction is intended for weavers and sons of weavers, and will be somewhat of the same character as that imparted in the corresponding classes at Serampore. There will be a separate teacher at each centre who has received his training at Serampore, but each school, in addition, will be under the personal superintendence of the Principal of the Serampore Institute.

The PRESIDENT said:—"I am sorry to interrupt the Hon'ble Member in his speech, but as many of us are anxious to attend the Convocation, he will be asked to complete his remarks at the next sitting of the Council."

The Council was then adjourned to Monday, the 14th March, 1910, at 11 A.M.

F. G. WIGLEY,

Secretary to the Bengal Legislative Council.

CALCUTTA,

The 12th April, 1910.

B. S. Press—27-4 1910—4609J—400—E. J. H

Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Monday, the 14th March, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding.*

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President.*

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble Mr. W. R. GOURLAY.

The Hon'ble MR. T. W. RICHARDSON.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. G. W. KUCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble BABU BHUPENDRA NATH BASU.

The Hon'ble LIEUT.-COL. G. GRANT GORDON.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH.

The Hon'ble RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GHULAM HUSAIN KASIM ARIF.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble MR. MADHU SUDAN DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble RAI KISHORI LAL GOSAIN BAHADUR.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

PRESENTATION OF KAISIR-I-HIND MEDALS.

The Lieutenant-Governor presented *Kaisir-i-Hind* Medals to Rai Bahadur Dr. Kailash Chandra Bose, C.I.E., Professor Jamini Nath Banerji and Sister Jane Frances.

[*Khan Bahadur Maulvi Sarfaraz Husain Khan; Mr. Gourlay; Mr. Duke.*]

QUESTIONS AND ANSWERS.

M.A. AND B.A CLASSES IN THE PATNA COLLEGE

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked—

(*a*) Has the attention of the Government been drawn to the article "M. A. Class in Patna College," which appeared in the *Behari* of the 18th February, 1910?

(*b*) Is there any likelihood of the introduction of the "M. A. Class" and the "B. A. Class in Philosophy" in the Patna College?

(*c*) Will the Government be pleased to state the time, if any, by which the said introduction is expected?

The Hon'ble MR. GOURLAY replied:—

"(*a*) The answer to the first portion of the Hon'ble Member's question is in the negative.

(*b*) and (*c*) The Principal of the Patna College represented that the B. A. classes in Philosophy were unpopular, and Political Economy with Political Philosophy was substituted. It would not be possible to obtain affiliation in Philosophy up to the B. A. standard without an addition to the present staff, and there is no likelihood of this at present.

With regard to the affiliation up to the M. A. standard, the Hon'ble Member is referred to the answer given to the questions put by the Hon'ble Maharaj-Kumar Gopal Saran Narayan Singh on Saturday last."

SURPLUS OF THE HOOGHLY IMAMBARAH FUNDS.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked—

(*a*) Can the Government give any information to the Council as to whether there is any money lying in the hands of the Government as surplus of the Hooghly Imambarah Funds?

(*b*) Will the Government be pleased to state whether, if there is any surplus, it is possible to utilise that surplus in the construction of the present extension of the Madrassa Hostel in Calcutta, or for any other purposes to meet the special needs of Muhammadan education?

The Hon'ble MR. DUKE replied:—

"(*a*) and (*b*) It is understood that the question relates to the Mohsin Endowment Fund which is administered by Government. According to the estimates for 1909-10 the balance of the Fund on the 31st March, 1910, will be Rs. 2,874 only, a sum which scarcely suffices for an adequate working balance. In the circumstances no fresh expenditure from this source in connection with Muhammadan education will be possible."

REGISTRATION DEPARTMENT.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked—

(*a*) Will the Government be pleased to state if any provision has been made for the pension of such officers of the Registration Department as have their services transferred from the commissioned to the graded appointments?

(*b*) Will the Government be pleased to state if any age-limit has been fixed for the retirement of those officers of the Registration Department who have chosen to work according to the old system of commission?

[*Mr. Gourlay; Khan Bahadur Maulvi Sarfaraz Husain Khan; Mr. Wheeler; Mr. Duke.*]

The Hon'ble MR. GOURLAY replied:—

"(*a*) Provision has been made for the pension of such officers of the Registration Department as were transferred to the graded appointments.

When the Registration Department was reorganised in 1905, the existing Sub-Registrars were divided into two classes according to their age: (1) officers of the age of 45 and under; (2) officers above 45 years of age. Officers of the first class were graded in the new service with effect from 1st October, 1905. Officers of the second class were given the option of joining the graded service, or of remaining on the old terms. The services of all officers in the new graded service became pensionable with effect from the 1st October, 1905.

"(*b*) No age limit was fixed for the retirement of those officers of the Registration Department who elected to work on the old commission terms."

MINISTERIAL OFFICERS' SALARIES COMMITTEE.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked—

Will the Government be pleased to state if the salaries of ministerial officers, in accordance with the recommendation of the Salaries Commission, have been increased in only some of the Departments or in all, and, if in some, which are the Departments in which the increase has not been given?

The Hon'ble MR. WHEELER replied:—

"The inquiries of the Ministerial Officers' Salaries Committee covered the office establishments of Commissioners of Divisions, District and Sub-divisional Officers, and the Courts of District Judges, Sub-Judges and Munsifs and Small Cause Courts (outside Calcutta). It is in respect of these offices only that various enhancements of pay have been approved by the Secretary of State, and effect will now shortly be given to them. A revision of ministerial establishments in the offices of District Superintendents of Police and of the Railway Police was sanctioned by the Secretary of State in February, 1909. The salaries of the clerical establishments in other Departments have not been recently revised.

"In the budget for 1910-11 a lump provision has been made for the reorganisation of the offices of the Collector of Customs, Inspector-General of Registration, Legal Remembrancer, Inspector-General of Prisons and Inspector-General of Civil Hospitals, and of the Darjeeling Forest Office. Detailed proposals have still to be approved. Also a reorganisation of the Bengal Secretariat was recently approved by the Government of India."

MINORS UNDER THE COURT OF WARDS IN THE PATNA AND TIRHUT DIVISIONS.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked—

Will the Government be pleased to state the names of minors whose estates are under the Court of Wards in the Patna and Tirhut Divisions, together with the names of the guardians of (*a*) the persons and (*b*) the properties of such minors?

The Hon'ble MR. DUKE replied:—

"The information is contained in the statement laid on the table.

Where there are guardians of the persons of minors they are mentioned in the statement. The Court of Wards is the guardian of the property in all cases."

showing the names of minors whose estates are under the management of the Court of Wards, together the names of guardians of such minors.

n.	District.	Estate.	Name of minor.	Name of guardian of person of
...	Shahabad ...	Chowgain ..	Ananda Bahadur Sinha, Indrajit Bahadur Sinha, Bachanji Sinha.	Commissioner has been asked to guardian. The estate came unde ment last year (September 1909)
...	Do. ...	Keseth .	Benkatesh Prasad Singh, Brijesh Prasad Singh.	Chaudhury Badruddin, Manage estate.
.	Patna ...	Badshah Begum's ...	Mussamat Wahimunnissa Begum, *alias* Badshah Begum.	Charge has been taken of the pro under section 7 of Act IX of 187
..	Do. ...	Nawada ...	Mussamat Bibi Imambandi, Mussamat Bibi Rahimannissa, Saiyid Mahamad Tayub, Saiyid Mahamad Tahir.	No guardian appointed. Estate in 1896.
...	Shahabad ...	Surajpura ...	Radha Raman Prosad Singh, Rajes Ranjan Prosad Singh.	Babu Nand Kumar Lall, B.A., guardian-tutor on a salary of mensem.
...	Patna ...	Maghra ...	Rajkishore Prosad Singh, Dulari Bibi.	Mussamat Kamal Koer, pater mother. Babu Durga Nara appointed second guardian on Rs. 30 per mensem.
...	Do. ...	Rai Sultan Bahadur	Badshah Bahadur	Munshi Sheo Prosad, grandfather appointed guardian on an allo Rs. 25 per mensem.
...	Gaya ...	Deo	Jagernath Prosad Singh	Deo Narain Singh on a salary per mensem.
...	Shahabad ...	Dumrson ...	Srinivas Prosad Sinha	Gaya Prosad Sinha, father of the
..	Patna ...	Khurshed Nawab ...	Bibi Wahidunnissa Begum ...	The Collector reported that it necessary to take charge of the the minor. The estates of th father, Syed Khurshed Nawab mother, Mussamat Warisunniss have also been taken in charg Court of Wards.
...	Muzaffarpur	Tomkuhi ...	Raja Indrajit Partap Bahadur Sahi ...	Rani Padam Kumari, mother of th
...	Saran ...	Mokarak Hossain .	Syed Saleh Hosain, Mussamat Kaniz Saida.	Mussamat Ghasitan, grandmothe minors.
...	Do. ..	Chantaria ...	Bhagwati Saran	Stepmother of the minor (name not
...	Do. ...	Hatwa	Kumar Guru Mahadeba, Saran Pershad Sahi.	Maharam of Hatwa, mother of the
...	Do. ...	Khujwa ...	Syed Abbas Ali, Syed Mobarak Ali, Mussamat Ameerain.	Syed Mohammad Ali appointed gu a salary of Rs. 30 per mensem.
...	Do. ...	Mashrak ...	Kirti Prosad Singh	Posthumous child. Still an infant Mother not yet appointed guardi

COPYISTS AND SECTION-WRITERS EMPLOYED IN THE CIVIL AND CRIMINAL COURTS.

The Hon'ble MR. DIP NARAYAN SINGH asked—

(*a*) Is Government aware that on the 12th of March, 1904, the late Hon'ble Babu Saligram Singh drew the attention of Government to the following subject:—

"That Copyists or Section-writers are employed in the Civil or Criminal Courts, and are paid out of the income derived from the copying department in a certain proportion, and that to all intents and purposes they are much in the same position as paid ministerial officers in other departments; that there are numerous instances of such Copyists or Section-writers leaving office after a service of 30 years and upwards, without getting anything in the shape of a pension or a gratuity for the support of themselves and the families depending upon them; and that there is no provision in the Civil Service Regulations to enable such persons to draw a pension or gratuity after they retire."

[*Mr. Wheeler; Babu Braja Kishor Prasad; Mr. Gourlay.*]

Also that the late Hon'ble Member asked whether the Government would be pleased to consider the desirability of making some provision for these persons on their retirement from service.

(*b*) Is it the case that the Hon'ble Mr. Shirres replied that the Lieutenant-Governor hoped to be able to effect some improvement in the position of the officers referred to by the Hon'ble Member, and that the matter had formed the subject of correspondence with the Government of India. No further information could be given on the subject.

(*c*) Will the Government be pleased to state what steps have been taken to improve the position of these Copyists and Section-writers employed in the Civil and Criminal Courts?

(*d*) Will the Government be pleased to consider the desirability of either exempting these Copyists from coming under the rules in Article 459 of the Civil Service Regulations or of making some provision for them on their retirement from service?

The Hon'ble MR. WHEELER replied:—

"(*a*) and (*b*) The Hon'ble Member apparently refers to a question put by the Hon'ble Rai Tarini Persad Bahadur to which an answer was given as quoted.

"(*c*) The Government of India declined to treat the service of copyists as pensionable, on the ground that their work differed from that of the ordinary clerical establishments, and was on a par with various other non-pensionable forms of Government service. The pension charges are ever tending to increase and fresh claims to pension require to be jealously scrutinised.

"(*d*) Article 459 of the Civil Service Regulations permits of the compulsory retirement of an officer at the age of 55 and allows his retention in Government service after the age of 60 only in exceptional circumstances. Copyists are practically piece-workers and are not dealt with under this article, although their fitness for continuance in Government service would be judged with regard to the age limits referred to. The Lieutenant-Governor agrees with the decision given in 1904 that copyists should not be eligible for pensions, and he is not prepared to make any recommendation to that effect."

EDUCATION IN BIHAR.

The Hon'ble BABU BRAJA KISHOR PRASAD asked—

(*a*) Will the Government be pleased to state the total amount of the revenues of the Lower Provinces, and how much of it is raised in Bihar?

(*b*) Will the Government be pleased to state what portions of the said revenues the Government ordinarily spends on education in Bihar, and what portion in Bengal?

The Hon'ble MR. GOURLAY replied:—

"(*a*) and (*b*). Separate figures of the revenue raised in Bihar and of the expenditure on education are not available and it would take much time and labour to compile them. It does not appear that any advantage commensurate with this labour would be obtained."

The Hon'ble BABU BRAJA KISHOR PRASAD asked—

(*a*) Will the Government be pleased to state if it is a fact that before the last ten years or so there used to be generally not less than four graduate teachers in a zila school in Bihar, and that now there are hardly two graduate teachers in most of the said schools?

(*b*) Will the Government be pleased to state the reasons for this gradual weakening of the teaching staff in zila schools?

[*Mr. Gourlay; Babu Braja Kishor Prasad.*]

The Hon'ble MR. GOURLAY replied:—

"(*a*) It is a fact that there are fewer graduates in the zila schools in Bihar at the present time than there were ten years ago.

"(*b*) The reason is that, as far as possible, Bihari teachers have been employed in Bihar schools, and the supply of Bihari graduate teachers has been insufficient."

SECONDARY EDUCATION.

The Hon'ble BABU BRAJA KISHOR PRASAD asked—

(*a*) Will the Government be pleased to state if any scheme or definite proposal for the improvement of secondary education was formulated by the Hon'ble Mr. Earle?

(*b*) If so, will the Government be pleased to lay the same on the table?

(*c*) Will the Government be pleased to state when it intends to give effect to the said scheme or proposal?

The Hon'ble Mr. GOURLAY replied:—

"(*a*), (*b*) and (*c*). The answer to the first portion of the Hon'ble Member's question is in the affirmative. The question is still under the consideration of Government and it would be premature to lay the report on the table or to make any announcement on the subject at present."

BHUMIHAR BRAHMAN COLLEGE, MUZAFFARPUR

The Hon'ble BABU BRAJA KISHOR PRASAD asked—

(*a*) Will the Government be pleased to state if the trustees of the Bhumihar Brahman College have petitioned the Director of Public Instruction, through Mr. Greer, the Commissioner of Tirhut, who has strongly recommended them, for a grant by the Government of Rs. 800 a month for current expenses of the College and Rs. 30,000 for building, the College authorities having undertaken to raise a similar monthly sum for current expenses and Rs. 66,000 for building?

(*b*) Considering that the Bhumihar Brahman College is the only institution of its kind in North Bihar, and considering the fact that the trustees have been able to raise a sum of Rs. 1,60,000, and have also already raised a monthly subscription of about Rs. 600 for current expenses, will the Government be pleased to consider favourably their petition and allow the grants?

The Hon'ble MR. GOURLAY replied:—

"(*a*) and (*b*). It has been ascertained that the Director of Public Instruction has received a request from the Bhumihar Brahman College, Muzaffarpur, through the Commissioner of Tirhut, for the assistance specified in the question of the Hon'ble Member.

"(*c*) There is however no possibility of giving the grant requested.

APPOINTMENTS.

The Hon'ble BABU BRAJA KISHOR PRASAD asked—

(*a*) Will the Government be pleased to state separately the total number of District Magistrates, of Joint-Magistrates, of Deputy Magistrates, of Sub-Deputy Magistrates, of Superintendents of Police, of Assistant Superintendents of Police, of Deputy Superintendents of Police, of District Judges, of Sub-Judges, and of Munsifs, in this Province?

(*b*) Will the Government be pleased to state separately the total number of appointments in each grade of the services mentioned in the first question?

[*Mr. Duke.*]

(*c*) Will the Government be pleased to state the percentage of the total number of appointments in each of the grades of the services specified in the first question to the total number of appointments in each of those services?

(*d*) Considering the very low percentage of appointments in the first three grades of Deputy Magistrates, as compared with the percentage of appointments in those grades of the other services, will the Government be pleased to raise the number of appointments in those grades?

The Hon'ble MR. DUKE replied:—

(*a*) and (*b*) The Hon'ble Member is referred to the Civil List.

(*c*) The percentages asked for are laid on the table.

(*d*) The analogies sought to be drawn by the Hon'ble Member appear to have no practical application. It is impossible to draw any conclusion from a comparison of the grading of certain specific ranks of the Indian Civil Service or the Police Service with the grading of the Provincial Executive Service as a whole. To make any practical comparison it would be necessary to take into account various appointments and grades which the Hon'ble Member has left out of account.

Statement showing the percentage of the number of appointments in each of the grades of District Judges, District Magistrates, Joint Magistrates, Deputy Magistrates, Sub-Deputy Magistrates, Superintendents of Police, Assistant Superintendents of Police, Deputy Superintendents of Police, Subordinate Judges and Munsifs to the total number of appointments of each of these services.

	Percentage of the number of appointments in each grade to the total number of appointments in each service.
District Judges—	
1st grade	1·14
2nd „	5·71
3rd „	6·85
District Magistrates—	
1st grade	6·85
2nd „	7·42
3rd „	8
Joint Magistrates—	
1st grade	11·42
2nd „	6·85
Deputy Magistrates—	
1st grade	1·69
2nd „	2·26
3rd „	5·38
4th „	16·14
5th „	28·79
6th „	24·36
7th „	14·16
8th „	12·18
Sub-Deputy Magistrates—	
1st grade	4·94
2nd „	15·38
3rd „	29·67
4th „	29·67
5th „	20·32
Superintendents of Police—	
1st grade	2·46
2nd „	8·64
3rd „	13·58
4th „	13·58
5th „	14·61

	Percentage of the number of appointments in each grade to the total number of appointments in each service.
Assistant Superintendents of Police—	
1st grade	16·04
2nd „	12·34
3rd „	12·34
Deputy Superintendents of Police—	
1st grade	18·18
2nd „	31·81
3rd „	22·72
4th „	27·27
Subordinate Judges—	
1st grade	2·24
2nd „	4·8
3rd „	11·05
Munsifs—	
1st grade	24·03
2nd „	23·07
3rd „	22·11
4th „	12·5

THE REVISED FINANCIAL STATEMENT, 1910-11.

THE PRESIDENT said:—"We will now resume the discussion of the Revised Financial Statement, which stood over from Saturday last. I call upon the Hon'ble Mr. Küchler to proceed with his remarks on the head of Education."

The Hon'ble MR. KÜCHLER said:—"I will now resume the remarks which I have already made in connection with the introduction of the Education Budget.

"The last of the major projects is under the head 'Miscellaneous,' and concerns the preparation of the Senior Teachers' Manual and of the Science text-books for Standards III to VI. The authors of the various sections have been carefully selected, and the work is being carried on according to the instructions laid down by the Committee appointed by Government to revise the syllabus of studies for the standards in question. It is expected that the book when completed will be of the greatest assistance to teachers, and will enable them to carry out intelligently the scheme of instruction as laid down in the new syllabus.

"The preparation of the text-books for the four standards has been left to private enterprise. The syllabuses are most detailed, and it was felt that with the large number of publishers of repute catering for the Indian market, there was a sufficient guarantee that the books competing for patronage would give the Text-book Committee a satisfactory field of selection. An exception was made in the case of Science text-books alone, the Syllabus Committee having decided that in the case of these important and difficult subjects it would be better that model text-books should, in the first place, be prepared by Government. The Science text-books will be written in English and then translated into the various vernaculars.

"A few words of explanation will suffice for the minor schemes which are given on pages 4 to 6 of the Financial Statement. As regards non-recurring charges on page 4, the first item of Rs. 1,620 is the cost of the additional temporary staff of clerks required for the Director of Public Instruction's office. As regards the Rs. 5,000 allotted to the Patna Law Library, this represents the second instalment of a total grant of Rs. 10,000, which was considered necessary, when the Patna Law College was created last year, to provide it with an adequate library.

[*Mr. Küchler.*]

"The Teachers' Manual, referred to in the fourth item, is the Junior Teachers' Manual, which has been under preparation during the past two years, and whose publication in the various vernaculars of the province may be shortly expected. The Bengali version, I may mention, has already been published. The sum of Rs. 1,500 is required to enable the department to purchase and supply copies of the Manual to those institutions and teachers who cannot buy them out of their own allotment.

"A manual is also required for *maktabs;* and though there will be incorporated with it a considerable portion of the Junior Teachers' Manual, it will also include some portions appropriate to *maktabs* alone. The cost of preparation of this Manual will be Rs. 750. The balance of Rs. 2,000 in the budget is for the purpose of providing translation of the model readers and arithmetic books into the aboriginal vernaculars of Chota Nagpur, namely, Mundari, Uraon and Ho.

"I come lastly to the items of recurring expenditure on page 6 under the head 'Education.' The first item represents the house allowance of the Inspector of the Presidency Division. As regards the second, I may state that Inspectors have hitherto had a considerable portion of the printing work performed at the Bengal Secretariat Press. This practice has now been discontinued, under the orders of Government, on account of the pressure of work in this press, and the Inspectors' printing in future will be done privately. Hence provision of Rs. 3,300 has been made in the budget to meet the required cost.

"The personal allowance of the Inspectress of Schools has been sanctioned in accordance with the orders of the Secretary of State. With regard to the fourth item of Rs. 3,600 for clerks for the Additional Inspectors of Schools, I may explain that, besides the six Divisional Inspectors, there are now six Additional Inspectors, one of whom has for the present been posted to each Division. Each of these Additional Inspectors has been allowed a clerk on Rs. 50 a month. The total cost therefore amounts to Rs. 3,000 a year.

"The allowance of Rs. 3,600 for two Professors of the Presidency College also requires some explanation. Pending the recruitment from England of a Professor of Mathematics and a Professor of History in the Indian Educational Service sanctioned under Mr. Earle's scheme for the Presidency College, two Indian graduates have been temporarily appointed to do the work of the Professors referred to, each on a salary of Rs. 150 a month. The cost for the year 1910-11 of the temporary appointments is Rs. 3,600.

"The sixth item of Rs. 1,380 is to meet the cost of personal allowance for three of the four Foremen Instructors at the Civil Engineering College. It has been decided that such allowances should be given to the Foremen Instructors after they have served in class I of the Subordinate Educational Service for a certain period. The exact form of the allowance has not yet been determined, but a provision of Rs. 1,380 has been made in the budget, as it is likely that the scheme will come into effect next year.

"The scholarships in connexion with the Title course form part of the general scheme for the improvement of Muhammadan education. Twelve scholarships, at a value of Rs. 12 each, have been created for award on the result of the new higher Madrasa examination. Of these twelve scholarships, four will be competed for each year. A further new allotment for scholarships is that of Rs. 2,160 for students who have graduated from the Ravenshaw College, Cuttack, and desire to read for the B. L. examination in a Government Law College. Six scholarships were created of the value of Rs. 30 a month, tenable for two years, either at Patna or Calcutta, from the commencement of the 1909 session. In the award of these scholarships preference is given in the first place to Uriyas, and secondly to candidates who can establish a genuine domicile in Orissa. The cost for last year was Rs. 1,620, and for next year would be Rs. 3,780. The increase therefore for the coming year is Rs 2,160, which is the amount shown in the Financial Statement.

"The last item is the allowance to the Secretary to the Advisory Committee for Indian students. As may be remembered, in July 1909 the Government

[*Babu Deba Prasad Sarbadhikari.*]

of India announced that the Secretary of State had decided to establish a Bureau in England for the supply of information to Indian students, as well as a Standing Committee for advisory purposes. The Government of India also issued instructions that local centres be established in each province who would be in direct communication with the Central Bureau in England. It was necessary to appoint a Secretary to this Committee, and the item of Rs. 2,400 in the budget represents the salary of this officer."

The Hon'ble Babu Deba Prasad Sarbadhikari moved the following Resolution:—

"The Council recommend to the Lieutenant-Governor that provision be made in the Budget for the following additional grants under the heading "Education":—

(*a*) Rupees 50,000 for assisting the University of Calcutta in acquiring the market to the south of the Senate House.

(*b*) Rupees 50,000 for strengthening the professorial and tutorial staffs of Government Colleges, and for providing house allowance to such members of the professorial and tutorial staffs as may be in need of such relief owing to the smallness of their pay.

(*c*) Rupees 50,000 for assisting Private Colleges in Bihar and Bengal and Private Schools of Arts, Technology and Industries.

(*d*) Rupees 20,000 for strengthening M. V. and M. E. Schools in Calcutta and in the mufassal.

(*e*) Rupees 5,800 for strengthening *maktabs* and other Muhammadan institutions.

(*f*) Rupees 5,000 for assisting private institutions for imparting education to females."

He said:—"The additional educational grants for which I must plead, in fact much more, as the Educational Member has been pleased tacitly to admit, are urgently necessary. All the different items speak for themselves, and realizing and appreciating that no outside resources would be available, I am obliged to suggest inter-department retrenchment, which, I am afraid, will not be agreeable to the learned head of the Education Department The constant increase in the costs of the Directing and Inspecting Agency without the inspectable commodity appreciably increasing, has been a source of as constant complaint. As I read the speech of the Hon'ble Mr. Cumming last year in reply to these complaints, it was practically conceded that the complaints were fairly well grounded, and we should have no further complaints, as the maximum was nearing or had already been attained. When such increase takes the shape of the appointment of a much-needed officer like an Inspector of Technical Schools and Industries with its immense possibilities, it can not only be justified but should and would be welcome. Such an officer will be able to give tone and direction to courses of instruction that have been getting rather diffused and at times confused. The directing agency will really be the stronger for such an accession, and our complaints as to increase of inspecting costs do not extend to items like these. We are, however, on firmer grounds when between direction and inspection an increase of sixty thousand rupees takes place, and adequate provision cannot be made for fuller and better manning of our colleges and schools.

"The Hon'ble Mr. Küchler's precise and forceful enunciation of the situation makes it clear that nearly fifty-five thousand rupees is still needed to bring up Government colleges to working strength. I did not know this till the statement was made in Council, and I asked for the smaller sum of Rs. 50,000 on this head, which shows how reasonable and moderate my requisition is.

"The only item that may be said not to appertain to schools and colleges direct is the sum of rupees fifty thousand which I ask for by way of assistance

to the University, so that it may be enabled to take steps for acquiring the market to the south of the Senate House. The Government will not for some time to come be able to give the University the whole of the money necessary for this acquisition even if it be inclined to do so, and it is doubtful as to whether the Government could and would guarantee a loan by the University itself for the purpose. It is clear and undoubted that the costs of this acquisition will be prohibitive very soon, and if it is to be acquired at all, it should be acquired immediately. The University will have to do this out of its own resources, supplemented by the contributions of public benefactors and of the Government. The Government of India is already assisting the University with a lakh and eighty thousand a year, and we invite Your Honour's Government to give us the smaller benefaction of fifty thousand rupees.

"How urgently our private institutions require supplementing is well known to Your Honour's Government and to the Director of Public Instruction, and they cannot come up to the University standard if such standard is strictly and rigidly insisted upon. Their continued existence is more or less on sufferance, and they have to be given latitude which they would not be given if Government institutions had not to be given some such latitude. Your Honour referred to this regrettable condition of affairs in the Imperial Council last year with great force, but the Government of India had no more to give us than they did. It behoves us therefore to cast about for means of strengthening our resources unaided. Some of our best men who have received their training in Europe or here, and would be ornaments of any educational service, are long toiling in the lower grades of the service to our lasting regret and to the permanent inefficiency and unpopularity of the service. Some of these names are household words in the domains of learning all the cultured world over, and every day lost in giving them their proper place in the service is an act of inexpediency and injustice that will be difficult to compensate for later on. The Hon'ble Mr. Küchler, in explaining the allowance of Rs. 3,600 for two temporary professors for the Presidency College, was pleased to observe:—

'Pending the recruitment from England of a Professor of Mathematics and a Professor of History in the Indian Educational Service, sanctioned under Mr. Earle's scheme, two Indian graduates have been temporarily appointed to do the work of the Professors referred to, each on a salary of Rs. 150 a month.'

It is no little satisfaction to find that there are Indian graduates to be had on Rs. 150 a month who can win and earn confidence enough to be entrusted with important work like this, for the permanent discharge of which recruitment in England is considered to be absolutely necessary. If junior and newly-appointed professors could be so entrusted, is there any reason why their tried seniors should not be appointed to some at least of the chairs awaiting the fresh arrivals. They are no way lacking in zeal, industry, distinction and experience, and many of them would be in no way inferior to many that have been recently appointed to the higher service and some would be distinctly better. It would be real economy, and more than expedient, to recognise these claims in bringing up the strength of our colleges to the requisite standard, and it is a plea neither out of place nor untimely in trying to economise the Educational Budget.

"Other Professors there are in our Government Colleges whose pay is too low to allow them to be housed properly. They have to teach their students lessons in elegance and cleanliness, the contrary of which they are obliged to practise away from the ken of their students, whom they dare not allow to come near their residences lest the clay feet be discovered. We are grateful, Sir, that Rs. 4,000 a year has this year for the first time under your Honour's auspices been provided for Calcutta Professors. But this is far too small for Calcutta itself, and relief is no less necessary in the Mufassil. Most of the Government Colleges have an inadequate staff—inadequate in quantity and sometimes in quality, inadequate accommodation, inadequate appliances, which helps in the gradual deterioration of the whole work. And if this is the state of things in Government Colleges, how worse is the case in private institutions the resources of which are still more cramped? The recent statement made in

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Council clearly shows that whatever assistance the private colleges at and near Calcutta may be receiving, it is a good deal worse in the Mufassil, particularly in Bihar. All these colleges require strengthening as also do the schools from which our colleges are ultimately supplied. These considerations which might be multiplied manifoldly and which have been repeatedly urged on the Government, make it necessary that some more grant should be given in aid of education all along the line. And as we cannot look for aid outside the Educational Budget, I ask for reduction, at least for a time, of the Inspecting charges, most of the increase under which item is for a higher scale of travelling and incidental expenses. Let us have our schools and colleges in working order first and be content with inspection such as has brought us to the stage in our education that we attained with much less inspection and which is no mean result to have attained. Superior inspection may come on later.

"Last year the Hon'ble Mr. Cumming was pleased to observe:—

'The Hon'ble Babu Deba Prasad Sarbadhikari has emphasised the difficulty and expense of bringing our colleges to a proper University standard. Government appreciates the propriety of setting a good example in Government Colleges and of giving assistance to private colleges.'

"We gladly recognise and appreciate the notable efforts that the Government has been making in the near past to make up for long-standing deficiency in this important domain of administration, and our grievance is that Education proper is being elbowed out by Inspection, which ought to and may wait till the vital element has had a fairer chance. It was refreshing and reassuring to read in the Annual Administration Report for 1908-09, just published, that 'a sufficient advance having now been made in the direction (of inspection of primary schools), efforts are henceforth to be directed towards the improvement of the teaching staff.' And thus reassured I plead for timely reversal of the process affecting secondary and higher education. If the whole of the reduction that I ask for cannot be agreed to, there may, at all events, be some reduction and proportionate strengthening of the items of the Educational Budget to which I have drawn attention. This will be a mere inter-departmental readjustment and need in no way disturb the general Budget as a whole. In passing I may be permitted to observe that the whole country is thankful, Sir, for the kind and sympathetic assurances that Your Honour was pleased to vouchsafe the other day at Krishnagar regarding the continuance of the College there, and for being able to provide much larger educational grants generally than could be expected in view of the cramped resources of the year.

"I do not conceal from myself that in seeking to encroach on Inspection preserves I am leading a fairly forlorn hope, and as one seeking 'any port,' I am tempted to ask myself if I could not take the Hon'ble the Director of Public Instruction at his word, and have released, at least, for the time being and for my present purposes, even the non-recurring charges of a lakh and fifty thousand rupees for the Presidency College Laboratory, which he does not seem to urgently want or to be particularly anxious to get. There is a ring of doubt and misgiving in the Hon'ble Member's speech as to the utility and expediency of spending more money for the improvement of the Presidency College *in situ*, and it is difficult quite to make out whether it is a mere individual or authoritative doubt and misgiving. If the question be still open and the Government has not finally decided the matter, this expenditure, when money is badly wanted for strengthening the service, which ought always to be the fundamental and predominant factor, would be inexpedient. Pending final decision, diversion of the funds for the purposes I indicate would be greatly helpful. I am myself free to say that in connection with private educational institutions recently started or about to be started, we are weighed down with difficulties in getting suitable land in or near Calcutta at a reasonable cost. In connection, for example, with a higher grade school and second-grade college of a special type, proposal for which has the sympathy and support of leaders and Educational authorities like the Hon'ble the Law Member of the Government of India, the Hon'ble the Vice-Chancellor of the University, the Hon'ble Maharaja Bahadur Sir Prodyot Kumar Tagore and Sir

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Guru Das Banerji, it has been felt and conceded that such an institution must go to a healthy, central and easily accessible place like Madhupur, where the stricken of many diseases, such as our students mostly are now-a-days, may advantageously congregate. The case of a model Government institution like the Presidency College seems, however, to be different; and if there is a preponderance of educational opinion in favour of its removal, there is a preponderance of opinion the other way so far as students and guardians and a large section of the public are concerned, considerations of expediency and sentiments being urged with no little vigor and effect. Since the Hon'ble Mr. Küchler's speech on Saturday I had opportunities of conferring with distinguished exponents of both the views, and there seems to be little indication of any decided change of opinion either way. If in this state of things the budget item in question is stayed and not passed, it could be used for no more useful purposes than those that I venture to indicate.

"I shall now shortly state my objections to Government undertaking preparation of text-books, which the Hon'ble Mr. Küchler's explanations do not fully meet.

"The reason why I venture to ask that the costs of preparing scientific text-books should be reduced is that Government is undertaking somewhat unnecessary work in this connection, and much, in fact the greater part of it, may and ought to be left to the literary public. In fact, the Government resolution on the subject provides, as the Director has also pointed out, that if the public can prepare equally good or better books they will be acceptable to the Text-book Committee. If so, why should the burden be thrown on, or be undertaken by, the Government. As I ventured to press on a previous occasion, it is alike undesirable and unnecessary that the Government should enter into a competition with the public in the matter, and the interests of education would be best served by leaving the preparation of text-books to the usual literary competition, seeing that literature and science have admittedly made an advance in Bengal and the time for foster school-book societies, even regarding science text-books, has gone by. If the result of competition is not yet in all cases satisfactory, it is because of the cramping conditions laid down in regard to the preparation of text-books in some subjects. I shall just refer to one such condition. Geography is one of the subjects which has been left open to competition, and one of the conditions is that a translation of the vernacular text into English should be submitted for approval. No such condition has been attached to preparation of text-books in subjects like History, in regard to which under existing circumstances there might be some reason for laying down such a condition. There may be, and in fact are, experts in Geography who can turn out excellent vernacular text-books, but would and do find it extremely difficult to rewrite the work in English in a style that would be acceptable. The excellence of the English translation being naturally the criterion of the excellence of the work, these competitors would be at a great disadvantage, for they could not secure the services of master craftsmen in the subject except on prohibitive terms. The members of the Central Text-book Committee are men of light and leading, well versed in the vernacular or supposed to be so—Inspectors of Schools, Additional Inspectors of Schools, Government Translators, Government Librarian, retired High Court Judges, Professors of Colleges and representatives of public opinion. They might well be left to judge of the excellence of the text in vernacular, and no English translation, which must be of an inferior merit, ought to be necessary for proper judgment of the suitability of the texts. If some indication as to the subject-matter in English is deemed necessary, a table of contents in English might possibly answer the purpose, but no translation of the complete text would or could be necessary. This is a weakness of the system which ought to be put right as soon as possible, and everything ought to be done to facilitate the production of proper text-books in all subjects by open competition.

"Regarding other matters mentioned in my Resolution, I would merely observe that we have growing amongst us some worthy private schools imparting education to females and also in arts, the claims of which I should again like to

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press on the Government. They are doing excellent work, but cannot go on unaided much longer, and I plead only for a slight aid by way of encouragement and as an earnest of more assistance that the Government may be able to give in better years. A sum of Rs. 4,200 in aid of *maktabs* appears to be far too small, and as a special encouragement to Muhammadan education, I propose that the sum be raised to Rs. 10,000. I do not overlook the provision for the Madrasa Hostel,and have to express the thanks of the Muhammadan community in the educational advancement of which I take a keen and special interest. It is a misfortune under the prevailing circumstances that much of what ought to come under Public Works Department charges, figure under the educational head and confuse the issues. More has to be spent on education proper, and I propose that the Middle Vernacular and Middle English schools which Hindus and Mahomedans alike resort to should have an extra assistance of Rs. 20,000. This would be a step further in aid of extension of primary and secondary education, for which there is a marked and growing demand all over the country to which gradual response has to be made.

"Though not referred to in my Resolution, I remark that the provision for supervision of hostels and students' messes has been reduced from Rs. 2,700 last year to Rs. 400, and no provision has been made, as far as I have been able to see, for the rent of the messes and hostels which the Government has for the last few years been allowing to the University. I shall be glad if non-discovery of the item is merely an oversight on my part. But if the omission has been decided on, it will seriously affect the question of students' residence in Calcutta and the University regulations bearing on the matter as well as the question of discipline. The University has been thinking of the appointment of an Inspector of its own, but its resources do not permit this at present, and it has to depend upon Government for help. If the University is unable to find the supervision expenses, it can much less find funds for supplementing the funds of the Students' Residence Committee, and Government assistance will for some time be imperatively necessary if the work is to be done at all. As the Hon'ble the Vice-Chancellor of the University, even whose giant efforts in the cause of the University are barely sufficient to meet its infinitely expanding requirements, and whose reappointment is a great aid to the cause of education, emphasised in his Convocation address the day before yesterday :—

'The principal difficulty in connection with students' residence is one of funds, and I make no secret of my conviction that without a liberal grant-in-aid from the State, continued for many years and supplemented by private effort on an equally extensive scale, it is impossible to provide colleges, and schools with adequate and well-managed places of residence for their students.'

"I can hardly put the case higher or plead stronger for continued State aid in this direction.

"I do not quite follow the Hon'ble Mr. Küchler as to why the receipt side of the Education Budget should have lost a lakh and seventy-eight thousand rupees by the amiable 'non-refund' of the sum on the part of District Boards or why any falling off in the Presidency College fees should be apprehended. The Presidency College occupies a very high place in the estoem and affection of the people, particularly those who had to do with it in early life, and whoever can possibly afford it, even by stint and strain, seeks to send his son and ward to this still beloved seat of learning. It can always command more than a full complement of students, and students had to be, and have to be, sent away from its portals not in tens and twenties but in hundreds. Such is its popularity, and higher will that popularity rise if full and sufficient manning can be secured as I propose. In passing I would express gratification at the bettering of the Darjeeling School Buildings, to which I was obliged to call pointed attention two years ago, and would also beg to suggest that the Ministerial *cadre* of the Educational Department be separated from the Teaching *cadre*, as the present arrangement operates as a great hardship on the latter. My separate resolutions as regards this and the separation of the Translators' Department from the Educational Department were disallowed as being matters of policy and not of budget, and I cannot therefore press these

matters by way of resolution. But I hope I may be permitted to draw Your Honour's attention to them under the leave kindly given by Your Honour on Saturday and in the hope that some action may be possible.

"The limited character of the Orissa Law stipends referred to in the Hon'ble Mr. Küchler's speech to-day also requires a passing word. There is a large number of non-Uriyas settled or working in Orissa whose sons have to be educated at Cuttack and who can neither claim nor establish an Orissa domicile. The stipends are provided because Cuttack cannot have its Law College, and these Bengali students would have been reading law at Cuttack without their being any way handicapped on account of their race if Cuttack continued to have a Law College. While some preference for Uriyas and domiciled Uriyas may for obvious reasons be necessary and desirable, other things being equal, Bengalis should hardly be handicapped and excluded for no worse fault than that in the service of the Government or in the exercise of their profession or calling their fathers and guardians are obliged to be in Orissa, though they cannot establish claim to a domicile there. Such differentiation is calculated to affect the harmony between the races, and ought to be out of place in our educational policy and educational institutions. The undesirable results of such 'provincialisation' in educational matters if I may call it so, were brought out with peculiar force by the answers of the Hon'ble Mr. Gourlay this morning to the question of the Hon'ble Babu Braja Kishor Prasad, when we learnt that though graduate teachers was the order of the day in the Bihar schools, ten years ago, graduate teachers cannot be maintained at this level in these schools because of the recent rule about Biharis getting a preference in the matter of these teacherships, and because of the inadequate number of Bihari graduates that are available.

The Hon'ble BABU BRAJA KISHOR PRASAD said:—"Your Honour,—I have much pleasure in supporting the Resolution which has been moved by the Hon'ble Babu Deba Prasad Sarbadhikari. If the Resolution is carried through the Council or is accepted by the Government, the chances of the educational institutions in Bihar of getting larger sums of money towards their improvements are materially increased and strengthened. For example, if in addition to the sum of Rs. 42,000, which has been allotted in the next year's budget for improving the teaching staff of the Government Arts Colleges, we get a sum of Rs. 50,000 more, we may fairly hope that the Patna College may get an additional Professor, so that a B. A. class in Philosophy and M. A. classes in one or two subjects may be opened. Your Honour, education is a very important affair, and, as all of us know, on education depend the general advancement and progress of a people. Education should therefore form the first charge on the public revenues of a country. But I am sorry to note here that the Government has not fully accepted this view, though of late years there have been genuine and real efforts on behalf of the Government to look to the educational needs of the country; but here again, Sir, it is with much regret that I am constrained to point out that Government has very much neglected the education of the Biharis in the past. Biharis have not been given the same educational facilities which their brethren in Bengal enjoy, and I would not be far from the truth if I were to say that the backwardness of Bihar is due simply to the neglect of the Government. I shall just now illustrate my point by quoting certain figures which were supplied to the Council in reply to a question put by the Hon'ble Maharaj-Kumar of Tikari. These figures relate to the grants-in-aid given by the Government to the private colleges in Bengal in the years 1906 to 1909. Your Honour will find that in the year 1906-07 a total grant of Rs. 1,86,574 was given to all the colleges in Bengal, and out of this we find that Bihar got only Rs. 17,000, *i.e.*, only 9 per cent. of the total grant. Similarly, in the year 1907-08 the total educational grant was Rs. 2,15,947, and out of this Bihar got only Rs. 15,585, *i.e.*, 6·9 per cent. of the total grant. Then, in the year 1908-09, out of a total grant of Rs. 1,50,725 Bihar got only Rs. 15,755, *i.e.*, only 10 per cent. of the total grant. In the year 1909-10, we find that there was a total grant of Rs. 1,66,514,

[*President; Babu Braja Kishor Prasad; Mr. Das.*]

and out of this Bihar got only Rs. 19,784, *i.e.*, 11·4 per cent. of the total grant. Now, if we take up the grants made in all these years, we find that Bihar got very little, and to this fact I may venture to say that the backwardness of Bihar in education is due.

"These figures are very significant and speak for themselves. Now what justification the Government has for such a treatment of the educational claims of Bihar it is difficult to understand. But I may submit that there cannot possibly be any justification for it. When we take the case of individual private colleges of Bengal, the injustice done to Bihar in these respects becomes more flagrant."

THE PRESIDENT said:—"I am afraid the Hon'ble Member is wandering from his subject. There is nothing in the Resolution which discriminates between education in Bihar and Bengal. I must ask him to confine his remarks to the subject-matter before the Council."

The Hon'ble BABU BRAJA KISHOR PRASAD said:—"Your Honour,—What I wanted to say was that if this Resolution were accepted by Your Honour, we would get more sums for education in Bihar. However, Sir, I shall only point out a few facts more as regards the individual colleges of Bengal. I will mention some instances. In all these four years, four colleges in Bihar got only a sum of Rs. 68,224, out of a total of Rs. 7,19,760, while one Missionary College in Calcutta, viz., the St. Xavier's College, got no less than Rs. 83,500; another private college in Calcutta, viz., the Bangabasi College, got as much as Rs. 1,26,450, *i.e.*, about twice as much as was given to all the colleges together in Bihar. Then, if we take the case of the Daulatpur Academy in the Khulna district, which is a second-grade institution, we find that it got as much as Rs. 34,750. In Bihar we have got three first-grade private colleges, viz., the B. N. College, Bankiporo, T. N. Jubilee College, Bhagalpur, and B. B. College, Muzaffarpur, and one second-grade college, namely, the Diamond Jubilee College at Monghyr. Coming to my own Division, *i.e.*, Tirhut Division, I find that in all these four years the Muzaffarpur College, a first-grade college, got only Rs. 7,000, while the second-grade college in Khulna got Rs. 34,750, *i.e.*, five times as much.

"I shall finish by saying that if this Resolution is carried through the Council, we shall have very great chance of getting larger sums of money for education in Bihar, and with these remarks I humbly support the Resolution of the Hon'ble Babu Deba Prasad Sarbadhikari, and I hope that it will be carried through the Council."

The Hon'ble MR. M. S. DAS said:—"I have not before me, Your Honour, any Resolution which the Hon'ble Member for the Calcutta University intended to move, and yet the hon'ble gentleman who just now resumed his seat gave me to understand from his speech that there was a Resolution which he intended to support. The Hon'ble Member for the Calcutta University has referred to various subjects touching on educational matters. It is not my purpose, Sir, to make any remarks on those various points, but in his speech he made a reference to certain scholarships which have been awarded by Government, and he made certain remarks with regard to the claims of the different sections of the community who are residents of Orissa. As far as I understand, Sir, those scholarships were given for the benefit of the people of Orissa, and by that I understand, the people who are interested in the welfare of Orissa, and who mean to reside there permanently without reference to caste or colour or creed. But a person to be of service to a province must be a person who, by his past life, has shown that he takes an interest in the welfare of the province; and, that if he receives his education outside Orissa, his life ought to be spent in Orissa and for the benefit of the province. I have always advocated that a proportionate number of those scholarships should go to the domiciled Bengalis or people of other places who have settled down in Orissa, always bearing in mind that the proportion

in which these scholarships are awarded to the different communities must be in proportion to the population of the different communities. And if the hon'ble gentleman has been informed from any source that there is objection to the domiciled Bengalis—the term, Sir, I have never been able to understand, and yet that is the term by which a person coming from Bengal and domiciled in Orissa is generally described, domiciled Bengali being a contradiction of terms—I should tell the Hon'ble Member that nobody ever objects to the domiciled Bengalis having their proper and legitimate share in these scholarships—a share such as the proportion of their population would justify in comparison with the population of the Uriyas generally. And as regards certain parts of the province being backward in education, I am not prepared to say that the whole burden of the education should lie on the shoulders of the Government. I myself come from that part of the country in Your Honour's rule, where education is as backward and perhaps more so than it is in Bihar. But certainly I do believe that if the people wish to avail themselves of the benefits of education which are within their reach, no Government convinced of an earnest desire on the part of the people to raise themselves to the rank of educated people, will hold its hands or fail to stretch forth a hand of ready help."

The Hon'ble MR. KÜCHLER said:—"I observe that the Hon'ble Member has inverted in his remarks the order of the Resolutions as given in the Agenda paper. As indicated there, it would appear that he intended to make the proposed reduction of expenditure under certain heads of the Education Budget contingent on the acceptance by the Council of his proposals for increased allotments for other educational objects. The new procedure is undoubtedly preferable, as however admirable the Hon'ble Member's proposals might possibly be, they must necessarily fall to the ground unless ways and means can be found to carry them out. Unfortunately the recommendations made by the Hon'ble Member in this respect cannot be said to be of a practical character. The chief proposal is that the allotment for inspection should be reduced by Rs. 1,30,000. Does the Hon'ble Member really put this forward as a serious business proposition? I presume that he is aware that the acceptance of his Resolution would mean the withdrawal from their present employment of a large number of inspecting officers, and those officers would either have to be provided with other posts, or to be compensated on account of their services being dispensed with. The former alternative is not practicable, unless new posts were created for the purpose, so that either contingency means large expenditure during 1910-11 and a consequent reduction, if not a total extinction, of the funds which the Hon'ble Member hopes to make available for the purposes he has in view. Quite apart from this consideration, however, I am compelled to take exception to the Hon'ble Member's proposals for the reduction of the inspecting staff. The Hon'ble Member is of opinion that this staff has been unduly increased at the expense of other branches of education. I must here seriously join issue with him. He does not intimate what branch of inspection is overstaffed, but I presume his criticisms apply more or less to all. As far as Sub-Inspectors are concerned, far from their number being excessive, complaints are constantly reaching me that they are still insufficient for the effective inspection of primary schools; nor is this astonishing when we consider that the total number of primary schools is over 37,000, and the number of Sub-Inspectors only 300. It is true that the previous training of these officers still leave much to be desired, but this consideration points to an increase rather than a reduction of expenditure. Again if we consider the higher inspecting agency, the Hon'ble Member will recollect that at the instance of the University the work of reporting on all higher schools to the Syndicate has lately been entrusted to the departmental Inspectors. The system has worked most satisfactorily and the Hon'ble Member, despite the disfavour with which he is apt to look on school inspection in general, will acknowledge that the Syndicate is indebted to those Inspectors for very valuable reports. All this, however, means an increase of work, and it is difficult therefore to see how the Hon'ble Member could advocate a decrease in the strength of the higher inspecting staff.

"I maintain, therefore, that the expenditure on inspection is by no means disproportionate to that on other branches of educational work, and that any increase of expenditure for that purpose has proceeded *pari passu* with increase of expenditure on other educational objects. This is illustrated even by the figures of the present budget which shew that while inspection shews an addition of some sixty thousand rupees, the total budget allotment has increased by Rs. 3,60,000.

"On these grounds alone I think the Resolutions of the Hon'ble Member should be rejected, but I should like nevertheless to say a few words on the merits of the proposals he has made for additional support to other educational objects.

"(*a*) I agree with the Hon'ble Member that the acquisition of the market is desirable and would greatly add to the amenity of the surroundings of the Senate House. It is hardly, however, a matter for which a special grant is required. The University has now for many years past received large Imperial grants for general University purposes, including the acquisition of land and the erection of buildings. The total amount which has been contributed by the Imperial Government towards the Building fund since the year 1904-05 is Rs. 4,10,000, and the balance of the fund at the end of February 1910 was Rs. 1,81,985. In addition to this there is the University Reserve fund, the balance of which at the end of February was Rs. 6,08,015. The Government of India grant is, moreover, still being continued and for the next year Rs. 80,000, as will be seen from the Budget figures, has been given for general University purposes. No doubt the larger portion of this will be allotted to the Building fund. It is for the University, therefore, to decide whether it thinks it desirable to acquire the particular plot referred to by the Hon'ble Member or whether other plots adjacent to the present Senate House would suit its requirements better. A large piece of land has already been acquired at a cost of Rs. 1,96,348-13-6 as a site for the new library and Law College. There certainly seems to be no reason to supplement the liberal contribution of the Government of India by a special grant covering a similar purpose as suggested by the Hon'ble Member.

"(*b*) I have already, in introducing the Budget for Education, called attention to the sanction which has been given by the Secretary of State to the scheme for strengthening the staff of the Government colleges, and to the allotment of a sum of Rs. 42,000 for giving effect to the scheme as far as that is possible during the coming year. It will also be seen from the figures that to give full effect to this project a considerable additional allotment will be necessary the year after. In addition to all this, a sum of Rs. 6,000 has been set aside this year for improving the staff of the Sanskrit College, while, besides the posts contemplated in Mr. Earle's scheme, a number of others, at present on a temporary basis, have been created. Apparently, therefore, the Hon'ble Member's wishes in this matter have already been met. It is possible, however, that he intends that the sum already allotted should be increased by a further allotment of Rs. 50,000. No valid reason has, I think, been advanced by him for additional expenditure on this large scale. With the increased strength of staff, which has been sanctioned, a very considerable improvement has been made *per saltum* in the teaching capacity of the several Government colleges, and though I would be the last to maintain that we have now come to a dead stop, and that all further expansion is barred, I think that future additions to the teaching staff of the colleges should be gradual and in response to well-considered proposals from their respective governing bodies. No case appears to have been made out for an abrupt increase of expenditure as now proposed by the Hon'ble Member, especially as such additions, as may in future be found necessary, will be largely with respect to tutorial and therefore comparatively inexpensive appointments.

"As regards free quarters or house allowances for college professors, it has been laid down by the Government of India that the former shall only be given to such professors as undertake specific duties in connexion with the supervision of students outside college hours, and it has not been thought advisable to give allowances in lieu of such quarters. The general question of the adequacy of the salaries of professors in Government colleges, which

to judge from his remarks, the Hon'ble Member seems partly to have had in mind in proposing an increased allotment under this head, cannot be disposed of in the way here suggested. It is entirely a separate matter and is, I may state, at present under the consideration of Government.

"(*c*) Here again I presume that the Hon'ble Member is aware that a considerable allotment has been made for recurring grants-in-aid to private colleges—the actual distribution during the current year was Rs. 77,080—and that therefore what he really wants is that the amount in question should be increased by Rs. 50,000. It is of course easy to distribute this or any other sum to private colleges. One way alone, in which it could be absorbed, would be by a general increase of salaries, and the Hon'ble Member seems indeed to suggest something of the kind in the course of his remarks. I am afraid, however, that each application for an increased grant-in-aid must be considered on its merits, and I can assure the Hon'ble Member that such applications will always receive sympathetic consideration. It is obviously undesirable to budget for a large increase of the allotment under this head on the strength merely of general considerations, and a resolution of Council recommending an additional lump allotment of this kind would be tantamount to asking Government to give grants-in-aid, either where they have not been applied for, or where on a careful scrutiny applications for such grants have already been rejected. The same arguments apply also to the case of the other classes of institutions mentioned in the Hon'ble Member's resolution. Industrial and technical schools are already largely aided both by Government and District Boards, and each application must be considered separately. The purely departmental grants to these schools amount to Rs. 23,287.

"(*d*) The control of Middle Vernacular schools and Middle English schools rests with the District Boards wherever such exist. Any increased aid would therefore have to be made through these bodies. This would involve an increased grant from the provincial revenues to the District Boards for educational purposes, and probably the Hon'ble Member contemplates that the additional allotment in the budget should be made in this way. I am in sympathy with the Hon'ble Member as to the desirability of improving Middle Vernacular and Middle English education, but such a matter can hardly be effected by haphazard increase in the budget allotment. It must follow on a well considered and systematic scheme dealing with the whole question, and as the Hon'ble Member will have gathered from the answer to one of the questions put in to-day's meeting, the matter, which is part of the general question of the improvement of secondary education, is at present receiving the attention of Government.

"(*e*) In proposing an increase of Rs. 5,800 for *Maktabs* and other Muhammadan institutions, the Hon'ble Member is probably unaware of the provision that has already been made not only in the present, but also in the last year's budget for this purpose. Prior to the present year the amount of our grants-in-aid to *Maktabs* was Rs. 16,250. This year we increased it by Rs. 21,386 and next year we shall probably be in a position to raise the total grant to Rs. 50,000. We also provided Rs. 3,380 last year for Madrasas under Mr. Earle's scheme. We have given grants on generous lines to every Madrasa that has applied and that has been willing to adjust itself to the conditions of aid imposed by Government. In face of these figures it is unlikely that the Hon'ble Member will wish to press for a relatively insignificant increase of Rs. 5,800.

"(*f*) Similar considerations hold good with regard to the proposed additional grant for assisting private institutions for imparting education to females. There is no doubt great scope for expansion in this field, but a considerable amount, *i.e.*, Rs. 59,210, has already been provided in the budget for aiding such institutions, and I look forward with confidence to the time when this allotment will be largely increased.

"It is difficult, however, to see what result the addition of the meagre sum of Rs. 5,000 is expected to produce. There is no more important problem awaiting solution than that of female education; but the question of finance

enters into it only in a minor degree and it is useless to provide funds before their application has been carefully thought out.

"While, however, I cannot support the resolutions of the Hon'ble Member, I acknowledge the discussion has served a useful purpose. No doubt, several of his proposals have been put forward under a misapprehension of what is actually being done by Government, and I trust that my explanations have shewn that Government is not inattentive to the claims of the educational objects for which the Hon'ble Member has pleaded to-day. At any rate they may have helped to put in a clearer light what has already been done in the directions indicated."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—"Sir, in reply, I would not like to go over the whole of the ground traversed by my friend for the obvious reason that, having regard to his very decided views, not much useful purpose would be served by my rejoinder in the way of shaping the views of the majority of the Council. But as my friend has extended an invitation to me to acknowledge that the Government is not inattentive to the educational needs of the country, it is an invitation that I cannot possibly refuse. That acknowledgment is and is bound to be cordial and whole-hearted, though it is but an acknowledgment of a mere truism. If I felt that the Government was not and was not inclined to be attentive to our educational needs or was at all inattentive, I should not have been taking up the time of this Council and my own time for the matter of that, by pressing these needs with what is apt to be regarded as disagreeable persistency, as I have felt it my duty to press. Not only do I gladly acknowledge what my Hon'ble friend has invited me to acknowledge, but I am glad to be able also to acknowledge, Sir, that some of our recommendations have already been accepted and borne fruit. What we are trying to do to-day—if the Hon'ble the Director of Public Instruction would help and co-operate with us—is to try to make the best of the available resources and to supply and meet the more pressing needs.

"The Hon'ble Member has said that no case has been made out for increased staffing of Government Colleges in the way I propose. The case has been made out by the Hon'ble Member himself in his own speech, in which he says:—

'This scheme was the outcome of the (new) University Regulations, and received the final sanction of the Secretary of State on 21st May, 1909. It involves the creation of a large number of new posts in the Indian Educational Service, Provincial Educational Service and Subordinate Educational Service, the total cost of which amounts to Rs. 1,40,840. As, however, it was necessary to satisfy the requirements of the University, as far as possible, immediately after the promulgation of the regulations, a number of temporary appointments had already been created in anticipation of the Secretary of State's sanction. The cost of these temporary appointments amounted last year to Rs. 45,000. The Rs. 42,000 in the schedule represents the additional cost which the introduction of the complete scheme will entail next year. It will be seen that expenditure for that year, namely, Rs. 87,000, still falls considerably short of the maximum figure, namely, Rs. 1,40,840. This is mainly due to the fact that it will not be possible to recruit several Professors in the Indian Educational Service for the present.'

"From my point of view the only question now is as to whether the service should be brought up to the requisite strength this year or later, and whether the newly-introduced Inspection charges ought not to wait. Both the branches of the service need strengthening according to the Hon'ble Member, and for reasons not very obvious, the Hon'ble Member shows preference to the Inspection Branch. I plead for the other and the more important branch, which cannot be said not to be in need of strengthening.

"Then, Sir, the Hon'ble Member has said that we ought to know what to do with the Rs. 50,000 demanded for the private colleges. The Hon'ble Member and myself and our colleagues on the Syndicate have experienced numerous difficulties over the distribution of sums annually alike for private

colleges, but I cannot understand the Hon'ble Member's present perplexity. He knows as well as I know what a difficult, delicate and embarrassing task it is to apportion out Rs. 80,000 among private colleges, whose demands could not be fully met by ten times as much money. There could be absolutely no difficulty or perplexity in distributing all the money that we could have and for the best of purposes.

"With regard to inspection charges, my friend has reminded me of the invaluable services that his Inspectors have rendered to the University, and I should feel wretched and miserable indeed if I were not cordially to acknowledge the excellent, and I may say the splendid, service which the inspecting department has rendered to the University, but for which its work would have been considerably more difficult in the absence of its own inspection agency. But, Sir, that work is by no means new, but has been going on since 1907 when the inspection charges stood at Rs. 6,27,000. In fact the brunt of the work fell on those that worked in the beginning, when we were obliged to have frequent whole-day Syndicate meetings to dispose of these very helpful reports. The work is now comparatively easy and of the routine type, and is not responsible for the immense increase in the inspection charges since. I would in all seriousness ask if we have had better or more inspection since? And do we need it? If not, why these charges? Of course the Department thinks that we must have extra inspection before the service proper is in full working order.

"That is a matter of adjustment which I ask this Council to make. I myself think it best to let the teachers and professors do their work in the best of their light and to the best of their skill and ability, without too much inspection and, I was going almost to say, interference. If need be, more inspection may come later when we are better off. If it is to be a choice of evil, I would let the augmentation of the Inspection department stand over awhile, while we manned our colleges better. I therefore invite my Hon'ble friend to forego the increase of the Rs. 60,000 for the inspection which he is adding this year, less the Technical Inspector's pay, and I hope my friend will consider this at least to be 'business like.'

"Regarding the grant for the University Buildings extension, if there is any difficulty with regard to what I ask for, I am ready to withdraw it, if thereby I may advance the other causes which I advocate. Supposing again that my friend does not himself now want more money for the Government colleges, we think it would immensely benefit the private colleges if they could get fifty or sixty thousand rupees which would be set free if inspection charges be not added to. Why should we not have this at all events?

"These are matters, Sir, that are within the rights of the Council to determine, and it may be convenient if Your Honour is pleased to put this Resolution, section by section, to the Council, so that if one particular section is rejected, other sections may probably be benefited. Of course, as I admit there are difficulties this year which may stand in the way of the University grant being allowed, though I do not admit that the University can do the extension work out of its own resources, whether they be reserved funds or otherwise; some Government grants in this direction will be badly needed later on, and I am glad my friend has been good enough to admit the necessity of the work.

"With regard to the question of female education, my friend seems to fear that we might not know what to do even if a grant is made. I think that lady-educationists like Miss Dass and Mrs. Roy, who have devoted their life-energy to the cause can tell him that the question is not what to do with the money, but the question is how to get money. Let the money be found and the apportionment will be in no way difficult. As my friend has said nothing as to the Presidency College and Student Mess grants, I suppose and hope he will carefully take into his consideration my suggestions.

[*Babu Deba Prasad Sarbadhikari; Mr. Das.*]

"As regards the observations of my Hon'ble friend, Mr. Das, regarding the Orissa scholarships, I am afraid my Hon'ble friend is labouring under a misapprehension. I did not mean that preferential treatment should not be accorded to the class for whose benefit the stipends are primarily given; all that I tried to get the Council to say is that Bengalis as such should not be excluded by reason of their race and some arrangements ought to be possible by which all the sections of the Community—Uriyas or domiciled Uriyas, as the Hon'ble Mr. Das would like to put it, as well as non-domiciled Bengalis—could participate in the benefaction. As I gather, my Hon'ble friend has and could have no objection to this, and for this I venture to plead.

The Resolution was then put and lost.

The foregoing Resolution having been lost, the following Resolution, of which the Hon'ble Babu Deba Prasad Sarbadhikari had given notice, was not moved:—

The Council further recommend to the Lieutenant-Governor that the following reductions be made in the Budget:—

(*a*) Reduction of one lakh and thirty thousand rupees under the heading "Inspection", under the major head "Education", and of Rs. 5,000 under the heading "Preparation and Translation of Science Text-books".

(*b*) Reduction of fifty thousand rupees under "Lump provision for grants for works of sanitary improvements".

The Hon'ble Mr. Das then moved the following Resolution:—

"The Council recommend to the Lieutenant-Governor that the necessary arrangements be made for teaching history in the Ravenshaw College, Cuttack."

He said:—"Sir, with Your Honour's permission, I should like to inform the Hon'ble Mr. Gourlay that it is not my intention to demand any large sum. Demands for large sums have been previously made, and consequently a further demand may make the Member in charge nervous about this motion. There is a necessity for a lecturer in History in the Ravenshaw College. The cost of maintaining a lecturer for twelve months will, according to the information I have received from the Director of Public Instruction, be from Rs. 1,500 to Rs. 1,800. As regards the necessity for such a lecturer, I should only draw Your Honour's attention to certain remarks which have been made from time to time by the Director of Public Instruction, both the present Director, the Hon'ble Mr. Küchler, and Mr. James who officiated for a time as Director when Mr. Küchler was away. At the commencement of this year's session the need for a lecturer in History was brought to the notice of the Director of Public Instruction by two of the successive Principals of the Ravenshaw College. But the then Director stated that a timely application had not been made, while at the same time he admitted both in private conversation and in official correspondence that there was certainly a necessity for such a professor. I remember, Sir, having met Mr. James at a private social gathering when everybody interested in the education of young people in Orissa actually pressed the claim of the Ravenshaw College for a lecturer in History before him. There were non-official gentlemen who were interested in education generally, there were people who were parents of the students, there were the professors and the Principal of the Ravenshaw College, and the Commissioner of the Division. All these agreed that there was a necessity for such

a lecturer. But, Sir, we were told that the application had come too late, and Mr. James said that people who did not come in time for the train must wait for the next train, and so I have taken this opportunity of coming before Your Honour before the next train is due. But I learn from some source that even now the present Director is inclined to say that there is no room in the train, so you must wait further. My application is one which does not require any disjoining of the budget. I find that there is provision of Rs. 42,000 for the improvement of the instructive staff of the colleges. So the question before the Council and before Your Honour is whether, under the circumstances, Ravenshaw College ought to have a share (not a big share) to the extent of Rs. 1,800 annually. The budget does not show if any final decision has been made as regards how this amount is to be distributed amongst the several colleges; nor does it show as to whether any share of this has been allowed to Ravenshaw College. Consequently the question presents itself before this Council in this form, Sir—whether, taken on its merits, the claims of Ravenshaw College for a lecturer of History are such as ought to commend themselves to the Hon'ble Members of this Council and to Your Honour. During the commencement of the present session there were fifty students who were willing and even anxious to have passed in science. Limited accommodation in the Science Laboratory could provide only for 14 in Chemistry, 14 in Physics and 24 in Botany. Very many of the Intermediate in Arts students wanted to take up either Botany or Chemistry, but they could not be educated because there was not sufficient accommodation as required under the new regulations of the Calcutta University. There was no alternative for these students but to take up Mathematics, and Mathematics is not always a congenial subject for students. Sir, I beg to submit that, under the new Regulations, an option is given to students in the choice of subjects, and certainly, Sir, if a college is so equipped with regard to its instructive staff as to compel a student to take up a subject which is not congenial to him, such college under these circumstances does not fulfil the object which the University had in introducing the new system of education. Besides I should mention also that Mr. James in one of his letters wrote that the history teaching of the college was very desirable, and trusted that this may be satisfactorily arranged for next year. He again said in another letter that it was a necessity and he regretted that he was unable to make arrangements for the current session, but pointed out that every effort will be made to appoint a lecturer in 1910. Then, Sir, the financial aspect of the college shows that the earning from fees was Rs. 320 more *per mensem* in 1909-10 than in 1908-09. So we have an additional income of Rs. 300, and all that I want, Sir, is that the pay of a lecturer, which is Rs. 125 or Rs. 150, may be met out of this. If the Director of Public Instruction has made up his mind finally as to how this Rs. 42,000 are to be spent, though there is nothing in the Budget to show that any final decision has been arrived at on this point, I appeal to the Hon'ble Mr. Gourlay. He told us that he has given us Rs. 52,000 or Rs. 53,000 for the Civil Courts building : that is bound to remain incomplete during next year; and if he gives us Rs. 1,800 out of that that would be more incomplete by perhaps 1,000 cubic feet of mortar and brick work, and the college will be provided with a professor. As a last resort, Sir, I beg to submit that I undertake to raise the required amount if Your Honour directs the Director of Public Instruction to appoint a lecturer of History. I am sure the hon'ble gentleman who represents the landlords of Orissa will join me in raising this sum, should it come to the necessity and the Government have such a tight grip on its purse."

The Hon'ble RAJENDRA NARAYAN BHANJA DEO said:—"With Your Honour's permission, I wish to make a brief remarks about the teaching of History in the Ravenshaw College. I have heard complaints of inconvenience and hardship to which the students of Ravenshaw College are put to at present for want of a lecturer in History. A lecturer in History is, in my opinion, a necessity. If Government cannot find funds for this purpose, I will be glad to join with the Hon'ble Mr. Das in raising subscriptions for this purpose, and I am sure there will be no difficulty about raising this small amount of Rs. 1,800."

[*Babu Bhupendra Nath Basu; Babu Deba Prasad Sarbadhikari; Mr. Küchler; Mr. Das; Mr. Wheeler.*]

The Hon'ble BABU BHUPENDRA NATH BASU said:—"Sir, I do not think that there will be any difficulty in finding Rs. 1,800 out of the general funds available to the Government Apart from the kind offer which my Hon'ble friend Rajendra Narayan Bhanja Deo has made, and which I do not think it will be necessary to accept at present, there are funds placed at the hands of the Commissioner of the different Divisions for petty works, and it may be possible, as a temporary measure, to utilize some of these grants for this purpose. Afterwards, this small sum may be found out of the Budget without much inconvenience to any department concerned."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—"Sir, I beg to support this proposal, and whether the rider which the Hon'ble Mr. Das has added will make it more acceptable to the Council, I do not know. That there is a clear necessity for it has long been acknowledged, and it would profit those students who are willing to take up the history course, and who have special aptitude for the subject which they can but exercise in the historic land of Orissa, replete with its unique and magnificient monuments. I therefore support this motion."

The Hon'ble MR. KÜCHLER said:—"Sir, I have not been able to catch all that fell from the Hon'ble mover, but so far as I can gather, the facts as stated were substantially correct. The matter is, however, not quite so simple as appears at first sight. The difficulty is that the Ravenshaw College is a small college, that is to say, a college which has a very small number of students attending it, and according to the rules of the University, whether a college be small or large, for affiliation in a fresh subject it must have an addition of one or two professors, and the consequence is that in the case of small colleges they have to keep a number of professors which is disproportionate to the total number of students, and the carrying on of the work of the college becomes unduly expensive.

"I may mention for instance, that the Ravenshaw College has already received two professors in addition to what was contemplated in Mr. Earle's scheme, so that it cannot exactly be said that Government has not treated this college with a sufficient amount of generosity. Then, as regards the Rs. 42,000 to which the Hon'ble Mr. Das refers, I may also inform him, if the distance is not too great for him to hear, that a very considerable portion of this amount has been earmarked for the Ravenshaw College, and over and above this, there are one or two temporary appointments which have also had to be provided in the budget for 1910-11.

"A more hard-hearted Director might therefore be inclined to give this as a reason for refusing consideration of the Hon'ble Mr. Das' proposal. At the same time, I think, and of course, Mr. Das is acquainted with my views, that the Ravenshaw College has got strong claims to have a professor in history. History is a very popular subject, and what is more important, it is also a very desirable subject for inclusion in a University course, and I am therefore prepared to accept the Resolution as an abstract proposition, allowing the question of ways and means to be decided later on."

The Hon'ble MR. M. S. DAS said:—"I am sorry that I should have been misunderstood. I did not mean to say, and as far as I remember, I did not say that I thought the Senate treated the Ravenshaw College ungenerously. It is perhaps the distance which accounted for this."

The Resolution was then put and carried.

The Hon'ble MR. WHEELER introduced the following heads:—

Revenue—

XX.—Medical.

Expenditure—

24.—Medical.

[*Mr. Wheeler.*]

He said:—"I have now to introduce, Sir, the Budget estimates of the Medical Department.

"On the receipt side the revised has been taken at Rs. 2,84,000 in comparison with Rs. 2,90,000 in the Budget for 1909-10. The small difference was mainly due to an anticipated falling off in the receipts from paying patients. The Budget for 1910-11 has been fixed at Rs. 2,98,000, the higher provision being mainly on account of the increased contributions promised by the Calcutta Corporation to the Campbell and Sambhu Nath Pandit Hospitals.

"As regards expenditure, the revised stands at Rs. 23,39,000 as against the sanctioned estimate of Rs. 25,20,000. The most noticeable savings were in the provisions for the improvement of the pay of the Civil Medical Assistants, and the reorganisation of the Sanitary Department. Neither scheme was brought into force during the year, but the former will, it is hoped, be given effect to very shortly. Savings of Rs. 27,500 under grants to *mufassal* hospitals and of Rs. 55,000 under expenditure upon measures for the prevention of plague are also anticipated. Till latterly the severity of the disease had lessened appreciably, but the returns since November, 1909, have unfortunately shown a large rise in the mortality from this cause.

"The Budget for 1910-11 has been placed at Rs. 25,16,000, or Rs. 1,77,000 in excess of the revised. The important changes are the following:—Rupees 32,320 have been provided for the improvement of the pay of Civil Medical Assistants, and Rs. 41,000 for similar action in the case of Assistant Surgeons. Recommendations in the latter instance were submitted some time ago, but discussion ensued with the Government of India whose orders are still awaited. We do not as yet know what form the reorganisation will take, but we have provided a lump sum roughly estimated on the assumption that the scheme submitted by us has effect from the middle of the year. A new item of Rs. 4,000 appears for house allowance to medical assistants in lieu of quarters, and of Rs. 18,000 for the establishment required at the new surgical block in the Medical College Hospital, for the equipment of which Rs. 50,675 has also been entered. We have cut the provision for grants to *mufassal* hospitals and dispensaries rather fine, but the grants already sanctioned have been met, and the financial position scarcely allows of much expansion of expenditure under this head at the present moment. Under the Sanitary Department the provision for an inspector of septic tank installations is new, although this officer is now working and has been found very useful in controlling the working of these tanks in the mills along the Hooghly. We have not made provision for the reorganisation of the Sanitary Department, since there is no immediate hope of orders being passed. The provision for grants-in-aid of plague preventive measures (Rs. 48,500) is perceptibly smaller than in the sanctioned estimate for 1909-10 (Rs. 90,000), but it is hoped that it will prove sufficient. A new appointment of a Professor of Anatomy is proposed at the Medical College, and Rs. 6,000 appears on this account, while as Hon'ble Members are doubtless aware, Captain Greig of the Indian Medical Service is at present making an inquiry into the causes of *Beri-beri*, and this has been provided for in so far as it will be a provincial charge.

"The new buildings to be undertaken in the Medical Department (although they appear in the Public Works Budget) are detailed in paragraph 59 of the General Review accompanying the Revised Financial Statement The Medical College, Calcutta, comes in for the lion's share, and this is in continuation of the heavy expenditure upon this institution in recent years. The works recommended, however, are all important. The new surgical block must be finished, and the fourth block gone on with. We had to stop work on the latter structure this year owing to financial pressure, since it was considered preferable to push on with the surgical block. The new block requires new nurses, and they have to be housed. The Clewer Sisters, who have long been honourably connected with the Hospital in supervising charge of the nursing arrangements, are about to withdraw from this responsibility at their own request. The proposal is to recruit four Lady Superintendents in their place, and for these too quarters are needed. The improvements to the Biological and Chemical Laboratories are required in order to allow of the

more elaborate courses under the new University regulations being adequately taught. The ward for insane lepers at Gobra is a useful and badly needed project, since these lepers are at present confined in the ordinary Lunatic Asylums, to which the objections are obvious, and I can speak from personal knowledge in saying that the Civil Surgeon's residence at Darbhanga is badly in want of improvement. Attention was recently drawn in this Council to the condition of the frontage to the Temple Medical School at Patna, and the provision for its improvement is in redemption of the promise that the matter should not be lost sight of."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI moved the following Resolution:—

"The Council recommend to the Lieutenant-Governor that a provision of Rs. 8,000 be made for special investigation about the causes and spread of *Beri-beri*, and for taking such preventive and curative measures as may be recommended to the Government by its expert advisers and the Faculty."

He said:—"That this disease is committing great havoc in different parts of the country is abundantly clear from the recent report of the Health Officer of Calcutta, though his observations are naturally confined to the Metropolis where the outbreak is most serious. The report is quite recent and must be fresh in the minds of the members of the Council, and I shall not take up time by referring to it in detail. The Health Officer admits that the situation is a 'gloomy' one, but he consoles us that 'all are equally helpless and human knowledge is wanting to battle with the disease'. He therefore excuses the Health Department and defends its not taking 'unwarranted and unreasonable action in the face of panic' Luckily for us all, there is no overt indication of the 'panic' referred to by the Health Officer, though repeated reference to 'panic' is likely to make the situation more 'gloomy' and 'serious', to borrow the Health Officer's own words. What is wanted no doubt, is that 'unwarranted' and 'unreasonable' action should be avoided as the Health Officer rightly claims and suggests, whether a 'panic' exists or not. But what is still more wanted is that 'warranted' and 'reasonable' action should be taken and 'panic' should not be created where none yet exists. The best way of avoiding such panic and grappling with the situation would be to obtain the best available expert opinion, and the Government has with commendable promptitude deputed a special officer, on the Health Department of Calcutta expressing itself unequal to the task. But the deputation of a single officer, however eminent and energetic, may not be sufficient when the sanitary security of the Metropolis as well as the whole countryside is in question, and the Resolution that I have the honour of moving invites more vigorous action in this direction, by way of at least reassuring the public against possible 'panic.'

"To malaria, cholera and small-pox the country has long been accustomed, and it is getting daily familiar with plague, regarding which the Hon'ble Dr. Lukis has recently made an authoritative pronouncement in the Imperial Council. Such an authoritative pronouncement, whatever its advantage and consolation may be, is not yet possible in the case of this new dread agency of death, and slow and steady decay which in many cases is worse than death, the ravages of which are growing apace every day. There is one aspect of the spread and development of this fell disease, however, which finds no place in the Health Officer's long, though hardly exhaustive, note in which negatives predominate, and that is that the victims are largely zenana ladies of the better classes who, by habits and customs of the country, as well as by reason of the faulty construction and cramped conditions of their residences, as well as of their congested neighbourhood, have little chances of freely breathing pure air. These cases generally improve when removed from the locality of the origin of the disease to purer and freer surroundings, and it would be of interest to know if the daily growing congestion of our towns is not responsible for the rapid growth and continued persistence of the disease which is making its way into the country from the town.

"There are well-known plague spots in Calcutta for example—well known to the Health Department—in which plague, cholera and small-pox regularly appear the earliest, linger the longest and commit most havoc, and it would be of interest to know if these are not also the very spots which *Beri-beri* or epidemic dropsy, by whatever name it be called, select as favourite hunting grounds. And the pettiest schemes of purely local improvement round these spots, no matter of what standing and however inexpensive they may be, have been hung up in some cases because of the comprehensive town improvement scheme for which the heart is sick and weary with waiting.

"The Health Officer quotes the Board of Health which, in its turn, says that 'for want of knowledge as to the cause of the disease it is impossible to prescribe measures for its prevention and that active measures cannot be taken.' It would be 'serious,' 'gloomy' and causative of 'panic' indeed if the state of helpless inactivity was long to continue, and special measures seem to be imperatively called for.

"My Resolution does not seek to imply and does not imply that the Government is not fully alive to the seriousness of the situation, for, in fact, the deputation of Captain Greig implies that it is much more alive to it than the Health Department of Calcutta. But as the area of ravages is large and the causation may be manifold, larger measures than is implied by this deputation seem necessary.

"The Malaria Commission and the Plague Conferences that we have had somewhat late in the day warrant the suggestion that early, vigorous and sustained efforts are needed for grappling with newly-created situations like those brought about by the advent of *Beri-beri*, and I hope that in the interest of the whole Province the Resolution which calls pointed attention to the situation will find acceptance at the hands of this Council and the Government. Here is a peculiar field of inquiry in which non-official medical talent might be advantageously and considerably associated; and I have learned with great satisfaction that my esteemed friend Dr. Nil Rutton Sarkar, one of the acknowledged and foremost leaders of the Faculty, is to be associated in the inquiry. But even that will not be enough when such a large, mysterious and difficult field is concerned, and more determined efforts are necessary."

The Hon'ble MR. WHEELER said:—"The Hon'ble Member himself admits that the object of his present Resolution is rather to draw attention to the existing state of affairs than to justify any alteration in the Budget figures. No indication is given as to the cost of the measures which he suggests should be undertaken from the increased provision. He might just as well have asked for a lakh or half a lakh as Rs. 8,000, so far as his speech provides us with any material for judging the nature of the expenditure which he desires. He asks for special measures, but the necessary preliminary of special measures is knowledge, and it is this knowledge that we are at the present moment in search of. It is unfortunately the case that instances of *Beri-beri* have appeared in Calcutta, but it is not a new disease. There have been cases in Kurseong and in the Duars, and in this connection various inquiries have already been made which were, however, not very conclusive. Our medical advisers are at present unaware of various features connected with the disease, and are unable to advise authoritatively. There is nothing new or strange about this. For instance, it was many years before anything definite was ascertained about malaria. In the course of the epidemics between 1860 and 1880 malaria was ascribed to almost anything, and it was long after it was known as a disease that the mosquito theory became accepted. In the case of plague also, in more recent times, the prevalent theories have varied considerably. However, the facts being as they are, when the matter attracted attention, this Government did all that was possible and asked for the services of a medical officer to investigate the causes of the outbreak. The Government of India deputed Captain Greig of the Indian Medical Service, and he is now working with a subordinate staff and a special laboratory in this city. I should explain that, in case it is thought that the Budget provision is unduly

small, we are only required to pay the additional cost of Captain Greig's deputation and the incidental expenditure. The sum of Rs. 2,000 provided will be adequate to meet the cost of the present inquiry. We are not aware what progress Captain Greig has made with his inquiry, and it would not be desirable to press him to make a premature pronouncement. Surely instances of the harm done by premature claims to the discovery of cancer cures, consumption cures and so on must be known to all. Captain Greig may be able to give us definite advice as to what to do, or he may not; we can only wait and see. The only point is that for the present, and so far as this Budget is concerned, we have done all that we need or can do. It would be most unwise and would only conduce to the panic, which the Hon'ble Member apprehends, to provide for special measures in casual directions at this stage, merely in order to show the public that we are doing something. I fail therefore to see that there can be any necessity for this small additional provision, and I cannot recommend the Council to accept it for the only purpose which is to-day relevant, viz., as a basis of a change in the Budget. For the purpose which the Hon'ble Member apparently has in mind, viz., that attention should be drawn to the prevalence of *Beri-beri*, that fact was recognised some time ago."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—"Sir, if the provision of Rs. 8,000 is likely to cause panic, I am afraid the provision of Rs. 2,000 to which the Hon'ble Mr. Wheeler has referred by way of reassuring me will cause at least a quarter of a panic. But that is not the way I have looked at the question. I looked about for ways and means and found that Rs. 8,000 can easily be taken away from the Temple School, the frontal adornment of which, that has been budgeted for, may well wait. I am afraid, Sir, the scope of the inquiry and its pace must be a little larger and quicker than is implied in the deputation of the Special Officer working in the laboratory, associated though he may be with non-official medical men. But if the Government has made provision for all the contingencies that may arise, there is really no necessity for my pressing the Resolution. My real object in moving the Resolution was to draw attention to the question, as the Hon'ble Member has rightly divined, and I believe my purpose has been fully attained, having regard to the assurances that the Hon'ble Member has given."

The Resolution was then withdrawn, together with the following Resolution of which the Hon'ble Babu Deba Prasad Sarbadhikari had given notice:—

"The Council recommend to the Lieutenant-Governor that the following item in the Budget under the heading "Medical" be omitted:—

"Improvement of the frontage of the Temple Medical School—Rs. 8,000."

The Hon'ble MR. GOURLAY introduced the following heads:—

Revenue—

X.—Registration.

Expenditure—

12.—Registration.

He said:—"The estimated receipts of the Registration Department will be found on page 27, and the estimated expenditure on page 44 of the Financial Statement. There is but little for me to say concerning these figures. The receipts are estimated at Rs. 14,87,000—a decrease of Rs. 63,000 on the previous year's estimate; but, except from a financial point of view, this decrease is rather a matter for congratulation. The crops of the last year have been good and the cultivators have curtailed their borrowing and have found it unnecessary to mortgage their lands to the same extent: the number of registrations anticipated next year is therefore smaller.

"The total expenditure of the department amounts to 8·13 lakhs,—a decrease of a few thousand rupees, compared with the estimate of last year.

"A sum of Rs. 19,030 has been provided in the Civil Works Budget for a necessary extension to the record-room at Muzaffarpur and for new offices at Onda and Indus, in the district of Bankura, where the present rented offices are unsuitable.

"There are many urgent projects in the Registration Department, but it has not been found possible to provide for more than three. The rest must await a more prosperous year."

The Hon'ble MR. WHEELER introduced the following heads : —

Revenue—

XXIII.—Stationery and Printing.

Expenditure—

30.—Stationery and Printing.

He said :—"As regards the estimates of the Stationery and Printing Departments, there is a small reduction of Rs. 8,000 in the revised estimate on the receipt side, made in view of the available actuals. The Budget for 1910-11 (Rs. 1,34,000) is Rs. 1,000 in excess of the sanctioned estimate for the current year, and calls for no particular remarks.

"Turning to expenditure, the revised shows an anticipated saving of Rs. 41,000, but the budget for 1910-11 is Rs. 45,000 in excess of the sanctioned estimate of the current year. The only important difference is under the head of Government Presses, which shows an increase of Rs. 48,500.

"The subject of our printing arrangements has caused considerable anxiety during the current year, during which it was considered by a departmental committee. The demands upon the Press continue to increase, and this process is not likely to slacken. The enlargement of this Council is only one of various causes tending in that direction. At present our printing is done mainly at the Secretariat Press and in the Presidency Jail ; there is a small Press at Darjeeling, and another for the Lieutenant-Governor's use at Belvedere. The Secretariat Press is hopelessly congested, and work is carried on there under conditions of extreme difficulty ; it is more than likely that at no very distant date the province will have to face the expenditure of constructing a new Press elsewhere. For the present we hope to get along with temporary expedients. Printing is to be an important industry in the new Presidency Jail, and in the Public Works Budget a provision of Rs. 2,50,000 has been made for buildings, the total estimated cost of which is Rs. 5,08,372. It is hoped, by pushing on with this, that it will be found possible to vacate the Paid division of the present Presidency Jail Press, which is separated from the Jail, and to make this over for the accommodation of a section of the Secretariat Press.

"Otherwise we are trying to save space, time and labour by substituting machinery more extensively for hand work, and this accounts for a provision of Rs. 36,592. Finally, we are trying to get more work done outside the Secretariat, and an item of Rs. 20,000 appears for the printing of the Indian Law Reports by private agency."

The Hon'ble MR. BUTLER introduced the following heads :—

Revenue—

XXIX.—Irrigation—Major Works.

XXX.—Minor Works and Navigation.

Expenditure—

42.—Irrigation—Major Works—Working Expenses.

43.—Minor Works and Navigation.

[*Mr. Butler.*]

He said:—"In introducing the Budget estimate for Irrigation works for 1910-11, I would explain as follows:—

"Irrigation works in Bengal are classed under three heads, viz.—

(1) Protective works which are constructed from funds given from Imperial revenues.

(2) Productive works which are constructed from Imperial loan funds.

(3) Minor works which are constructed from Provincial revenues.

"The Protective works are the Tribeni and Dhaka Canals in the district of Champaran. The former is now under construction, and the latter was opened for irrigation in 1906-07, from which date its working has been provincialized.

"The works classed as Productive are the Sone, Orissa, Midnapore and Hijili Tidal Canals. The first three are utilized chiefly for irrigation, and the last for navigation only. The working of these four projects was, under orders of the Secretary of State, provincialized in 1878-79. When a work is provincialized the Local Government receives the revenue realized from it, and provides the cost of its upkeep and maintenance as well as the interest charges on the expenditure incurred from borrowed money.

"All receipts from Productive and Protective works are shown in the Budget under head XXIX—Major Works—Receipts. All charges for the maintenance and interest for these works are shown under the head 42—Major Works.

"The receipts from all other irrigation and navigation works in Bengal, including embankments and drainage works, are shown under head XXX, and the expenditure under head 43—Minor Works and Navigation. Under the latter head is also included any expenditure in the capital account of the Productive works, as such expenditure is now met from Provincial revenues.

"I would explain that a work is classed as Productive if it is expected that within ten years after completion the revenue derived from it will suffice to pay the annual interest on the capital invested, including the arrears of simple interest and all indirect charges.

"Unfortunately none of the works in Bengal classed as Productive have realized these expectations. The capital (direct charges) expended on these works up to end of 1908-09 is Rs. 6,27,88,766, of which Rs. 6,12,89,104 was met from Imperial loans and Rs. 14,99,662 from Provincial revenues. The interest on the former, which now amounts to Rs. 20,91,000 per annum, is a provincial charge. During the past few years the net revenue from the Sone Canals has been just sufficient to cover the interest charges, but the gross revenue from the Orissa, Midnapore, and Hijili Tidal Canals has been only slightly in excess of the working expenses.

"The net result is that these works now impose a burden of about 8½ lakhs per annum on the provincial revenues. This is, however, better than three years ago when it was over 10 lakhs.

"The revenue derived from these canals is chiefly from the rates levied for the irrigation of the rice crop; the area of other crops irrigated is small except on the Sone Canals. The revenue derived from tolls for navigation has in recent years considerably decreased owing to the competition of railways. The area of rice irrigation does not now fluctuate much, and that of *rabi* depends on the autumn rainfall.

"The area of rice now under irrigation is nearly the maximum that can be irrigated with the supply of water available. Every endeavour is being made to teach the cultivators to be more economical in the use of the water, but only a very slow progress in such economy can be expected. The working expenses of the canals have been reduced to a minimum. The only method therefore of increasing the revenue and thereby decreasing the burden of interest which this province has to bear is to increase the rates levied for irrigation. These

rates are now very low on the Orissa and Midnapore Canals as compared with those on the Sone and on canals in other provinces.

"It must be remembered, however, that these irrigation canals, besides improving the general condition of the tracts irrigated from them, form a valuable protection from famine and avoid the necessity of expenditure on relief works in years of drought. The area irrigated from the Sone Canals during the triennial period ending 1908-09 averaged 622,000 acres per annum, and the revenue derived from this irrigation, nearly 16 lakhs of rupees. As practically the whole of this revenue was realized each year as it fell due, it may be concluded that the rates at which it was assessed did not press heavily on the cultivators.

"The receipts from Major Works during the current year will be the highest on record and considerably larger than expected, owing to the *rabi* area irrigated on the Sone Canals during 1908-09, the revenue for which fell due in 1909-10, being underestimated, and to a larger area than anticipated being irrigated during the *kharif* season on the Sone and Midnapore Canals. During 1910-11 the receipts will probably be less than during the current year, as owing to favourable rainfall the *rabi* area irrigated on the Sone Canals this year will be less than that irrigated in 1908-09.

"From Minor Works and Navigation, the receipts from which are shown under Budget head XXX, the chief source of revenue is the tolls for navigation on the Calcutta and Eastern Canals. These canals, which are partly artificial channels and partly tidal creeks which have been improved and conserved, form the navigable routes for boats and inland steamers between Calcutta and Eastern Bengal. The capital expenditure debited to these canals up to date is about 85 lakhs; the gross revenue has averaged about 5 lakhs; but as the working expenses have, owing to improvements in the canals, considerably increased during recent years, there has been a falling off in the net revenue, which does not now amount to one per cent. on the capital expenditure.

"The Madaripur Bhil route, a channel connecting the Pudda and Madhumati rivers, which formerly formed part of this system, is now treated as a separate project. Prior to 1907-08 Rs. 14 lakhs were expended on this route to make it navigable for inland steamers during the flood season; it is now being deepenod at a further estimated cost of 17 lakhs so as to make it navigable for inland steamers throughout the year. Half of this further expenditure, also half the maintenance charges, are contributed by Eastern Bengal and Assam, that Government receiving a share in the revenue in proportion to the amount contributed towards the capital cost. Up to date about one-third of the length of this channel has been deepened by dredging, and it is anticipated that in another three years the scheme will be completed, and that the net revenue then derived from it will amount to over 4 per cent. on the capital expended. The distance by this route from Naraingunge to Khulna is 100 miles less than by the present dry-weather route *vid* Barisal.

"Owing to damage done to boats during the cyclone in October last and to that portion of the canals between Bamanghata and Kulti being closed for silt clearance since the 15th February, the tollage receipts from the Calcutta and Eastern Canals will be less this year than anticipated, but during the coming year an increase is expected, as the Chord Canal now under construction between Ultadanga and Bamanghata will be opened for traffic in June next. This Chord, the length of which is 10 miles and the estimated cost 9 lakhs, will be a great convenience to boats using these canals, as it will give a still-water reach from Chitpur to Kulti, a distance of 27 miles, and will avoid the delay which now occurs in the tidal channel between Dhappa and Bamanghata.

"The working expenses of Major Works, which is shown under Budget head 42, does not vary much. For 1910-11 the amount provided is that required in a normal year and should not be exceeded unless unusual damage is done by the floods to the head-works of any of the canals.

"The expenditure on Minor Works and Navigation, which is shown under the Budget head 43, will, for the current year, be slightly in excess of that anticipated. On capital works of the Calcutta and Eastern Canals there will be

[Babu Deba Prasad Sarbadhikari.]

an increase of about 1½ lakhs owing to a larger expenditure on the Ultadanga-Bamanghata Canal. This is, however, partly balanced by decreased expenditure on the maintenance of these canals and on other smaller works.

"The amount provided for expenditure on Minor Works and Navigation under Budget head 43 during 1910-11 is in excess of that of previous years. The excess is due chiefly to an extra amount required to repair the damage done to embankments by the severe floods of last season and to special repairs and silt clearance necessary on the Calcutta and Eastern and Orissa Coast Canals. This, however, is partly balanced by a smaller provision for capital works on the Calcutta and Eastern Canals.

"Provision is made for completing the Ultadanga-Bamanghata Canal and for continuing the deepening of the Madaripur Bhil route. The maintenance charges of the Calcutta and Eastern Canals and of the Orissa Coast Canal will be higher than during the current year, owing to special repairs to locks and extra silt clearance being necessary.

"Provision of Rs. 40,000 is made for training works to improve during the dry season the navigable channels across the shoals in the river Ganges. Similar work was carried out in 1903-04 to 1905-06, and the increased depth of the channels was a great boon to both the steamer and boat traffic.

"Rupees 30,000 are provided for commencing the construction of a lock at Utterbagh on the Peali river, the estimated cost of which is Rs. 81,800. This lock will give access to the channels constructed under the Magra Hât drainage scheme to boats coming from the Sundarbans and Eastern rivers. There is a considerable trade, chiefly in paddy, between the Sundarbans and Magra Hât, which is much hampered by want of through communication for boats. It is proposed to levy a small toll on boats passing through this lock, which will suffice to cover maintenance charges and interest on capital. The Magra Hât drainage scheme, which provides for the drainage of an area of 290 square miles in the Diamond Harbour subdivision, is now being carried out under the Bengal Sanitary Drainage Act of 1895 at an estimated cost of Rs. 21 lakhs. Magra Hât is the centre of this area, and the drainage will be discharged partly into the Peali river and partly into the Hooghly at Diamond Harbour, where a lock is being constructed to give access to all the interior drainage channels which are being made of sufficient depth to be navigable for moderate-sized boats. The Bengal Government has contributed five lakhs towards the scheme, and makes no charge for the Public Works Department establishment employed in carrying it out, and has also undertaken that all maintenance charges shall be borne by Government in return for any income derivable from the scheme, which includes such tolls as may be levied under the Canals Act, 1864 (Bengal Act V of 1864). The scheme, though not yet completed, has this year effected a considerable improvement both from a sanitary and agricultural point of view. A good rice crop was reaped from an area over 100 square miles where none or only a very poor crop had hitherto been obtained. The traffic in this tract is carried chiefly by boats; the completion of the locks at Diamond Harbour and Utterbagh and of the interior channels will greatly facilitate this traffic and add to the benefits derived from efficient drainage.

"The floods in the Midnapore district, which last flood season were of unprecedented height and duration, caused immense damage to the embankments there, and a considerable expenditure, estimated at about two lakhs, will be necessary to repair the embankments damaged by these floods. The amounts provided for the maintenance of the smaller canals and drainage works and for the *takavi* embankments are normal.

"It will be noticed that certain items under Minor Works are put down as in charge of the Civil Department. These are for the most part connected with the administration of the Embankment Act. The Budget of receipts reproduces the sanctioned estimate of the current year, and the estimate of expenditure (Rs. 8,000) is only Rs. 1,000 less than in 1909-10. The details scarcely call for notice."

The Hon'ble Babu Deba Prasad Sarbadhikari moved the following Resolution:—

"The Council recommend to the Lieutenant-Governor that a provision of Rs. 20,000 be made for beginning protective work in connection with the

[*Babu Deba Prasad Sarbadhikari.*]

He said:—"In moving the Resolution about Begua Hana I beg to draw the attention of the Council to a largely and influentially signed memorial of the inhabitants of the villages affected by the overflow of the river Damodar through the Begua breach which was presented to the Government last year. Such villages number nearly 400 in the districts of Burdwan and Hooghly, the sufferings of whose inhabitants during the rains every year are growing more and more. The breach in the western embankment of the river Damodar is extending every year, and the increase in the suffering and attendant loss is proportionate. On the representation of some of the memorialists who had memoralised on a previous occasion, Mr. Horn was deputed to make an investigation, and he made a report on the 21st of February, 1902. One of his suggestions was the training of the Begua river by excavation of the bed at suitable places enabling the river to scour out its own channel and help a speedy discharge of its water. The Hon'ble Babu Bhupendra Nath Basu pressed the question upon the attention of the Engineering Department while he was a member of the Bengal Council some years ago, and as a result of further investigation into the matter the Department found that if a larger remedial scheme could not be immediately or in the near future be undertaken, it would be possible to remove some of the obstructing bars at a small cost and afford relief which was and is extremely needed. The Hon'ble Sir Andrew Fraser was pleased to visit the spot and expressed himself in sympathy with the schemes suggested, but the matter was lost sight of, and attention was called to it again in Council by me. In answer to a question put by me in Council, the then Secretary to the Government in the Public Works Department said two years ago:—

'The scheme, to which the Lieutenant-Governor has accorded administrative approval and which it is intended to carry out at the cost of *the general revenue* is the following:—

It is proposed to make an earthen embankment or dam across the head of the Begua channel where it leaves the Damodar river and to provide for the escape of the flood-water by means of two long overflows or weirs at the level of natural bank which will be paved with rubble stone or concrete blocks. The object aimed at is to retain the low water flow in the old channel of the Damodar, while permitting the flood-water, which is far in excess of what the channel of the river can accommodate, to spill over the bank without cutting a deep channel.

The only possible means of relieving the country between the Damodar and the Rupnarain of flood-water is the construction of reservoirs in the upper channels of the river. This problem has been investigated more than once and it has been ascertained that the cost would be prohibitive. Moreover, a large part of the country derives benefit from the inundation. The scheme which has been approved will be carried out as soon as funds can be made available. It is not practicable to make any temporary works which would be of service.'

"Nothing, however, was done towards carrying out the scheme by reason of its very largeness and expensiveness, and individuals began small unauthorised and objectionable protective works on their own account at different points of the river and for their own benefit which accentuated the sufferings of the general body of the local public. If I am not mistaken, a portion of the charges can be and ought to be met out of the *pulbandi* charges which landlords in the affected districts have to pay, and the Hon'ble the Maharajadhiraja Bahadur of Burdwan, who pays a considerable sum under this heading, would be able to tell the Council, I believe, how matters stand. Raiyats and zamindars alike suffer by these devastations, and it is the interest of all that a portion of these protective works should be immediately undertaken and their comprehensive and expensive nature should not shunt them indefinitely. I believe the department is still of opinion that the existing bars should and can be removed and the channel kept open for free and quick discharge of the water, at a reasonable cost and the first instalment of work, I suggest, should be commenced at once. The sufferings of the last year were greater than in the previous years as there was general flooding of the country, and when during the last rainy season I ventured to approach your Honour through Sir Charles Allen, then Officiating Chief Secretary, on behalf of those who had suffered most, I was gratified and encouraged to find that your Honour had, at your own instance and on information that had reached your Honour, given directions to the

[*Sir Bijay Mahtab, Maharajadhiraja Bahadur of Burdwan; Mr. Butler.*]

local officers to afford such temporary relief to the sufferers as was possible. A memorial pressing forward the remedial measure was presented to your Honour, and it was urged that, so long as the Government is not in a position to undertake the contemplated larger measures, steps should be taken to see that the channels through which the waters discharge themselves should be kept free. Some protective work should, I therefore submit, be immediately undertaken, and they would prevent a repetition of the last year's devastation which affected numerous homes and families."

The Hon'ble SIR BIJAY MAHTAB, MAHARAJADHIRAJA BAHADUR of Burdwan said:—"Your Honour—I rise not exactly to support the Resolution that my hon'ble friend wishes to move, but to place before the Council and the Government particularly the urgency of framing proper estimates for repairing the Begua breach. A great deal of damage is done every year by the flooding of the right banks of the river Damodar since the cutting of the embankments on the right side, a measure about which the Engineer then in charge (in 1860) said, as is to be found from the Bengal Embankment Manual, that 'there could not be a question of the wisdom which dictated the removal of the embankments from the right bank of the Damodar. It is not, nor will it ever be, a measure of unalloyed success, but it has simplified what must have been a hopeless task, and put a stop to a useless expenditure of public money. Complete protection has been secured to the wealthy and rapidly prospering districts on the left bank of the river (a blessing only fully understood within the last few years, as may be seen from examining the list of breaches from 1847). The gloomy predictions regarding the depopulation and utter ruin of the right bank have not been fulfilled, nor is there any likelihood of such occurring within the present generation at all events.'

I am afraid this prophecy has since been falsified to a certain extent. At present there are several hanas (breaches) made by the force of the floods and several important channels have formed. Of these, 'Begua,' 'Lakhra' and 'Bachoordaha's khal' are the largest. 'Begua Hana' has become so wide and important a channel that it carries a greater part of the Damodar flood water and does a lot of damage to the mauzas and lands situated on either banks of it. This 'Begua Hana' requires carefully looking into, and means should be devised by which the annual damage done to the properties could be efficiently minimized and a proper estimate for repairing the breach or for necessary protective work should be framed. Damodar flood water passes over the greater part of the lands on the right banks. I refer this matter to my Commissioner, who is also in this Council. At a place near Mayapur in the Arambagh sub-division, the flood water goes into the river Dwarkeshwar, washing over many villages and passing over a vast stretch of cultivable paddy fields. Owing to these annual floodings, several Raj patni lots have been given up by patnidars, and they have become khas with a reduced rent-roll and bad collection. For this the Burdwan Raj suffers an annual loss. Early in the nineteenth century soon after the Permanent Settlement, when the inordinately high revenue assessment was fixed by the Government on the Burdwan Raj estate, first of all Government was pleased to make a reduction of Rs 60,000 so as to permit the Maharajas of Burdwan to maintain the embankments in Chukla Burdwan themselves. Later on as this system did not work properly, the Maharajadhiraj of the time, the late Tej Chand Bahadur, handed over these embankments to the Government, and we still pay over half a lakh of rupees as *polbundy* for the maintenance of the embankments in Chukla Burdwan. I therefore think, Sir, that I have some right in bringing to the attention of the Government that the Begua Hana should be carefully examined and an estimate properly prepared so as to stop or rather help in protecting these parts from being flooded and from the annual ravages done by the river at present."

The Hon'ble MR. BUTLER said:—"Prior to 1856 there were flood embankments on both banks of the Damodar river from Silna to its junction with the Hooghly river. As the capacity of the channel of the river was not large enough to carry more than a portion of its discharge even in moderate floods, these embankments were breached in many places nearly

"In 1856 the embankments on the right bank between Silna and Salalpore were removed for a total length of 20 miles, and since that date, though a considerable tract of country on the right bank has been yearly submerged by the flood spill, it has been possible to maintain the embankments on the left bank intact.

"The spill which at first passed at a fairly uniform depth over the river bank where the embankments had been removed has in the course of time formed gaps in the river bank, the largest and deepest of which situated near Somagereah village is now called the Begua breach.

"From this breach a channel has formed through which about 2-5ths of the total flood discharge of the Damodar now passes and spills over the country to the south and west, eventually finding its way through numerous small channels into the Rupnarain river. The bed of this channel is now at a lower level than that of the Damodar river at its offtake, and consequently the whole of the dry weather discharge of the Damodar passes down it.

"A proposal to close the Begua breach and to allow the surplus flood water of the Damodar to pass over two weirs to be constructed one above and the other below the breach has been carefully investigated, but the cost estimated at 9¼ lakhs is prohibitive.

"The cost of constructing a weir across the breach itself, which, while allowing that portion of the flood discharge of the Damodar which could not be carried by the parent streams to pass over the weir and down the Begua channel, would force the discharge of moderate freshets down the Damodar river, has also been estimated and amounts to 4½ lakhs.

"The safest course would be to construct a low weir across the breach which would force all the discharge during the dry season and in low freshets down the parent stream. When its channel had been thus scoured out to some extent the weir could be raised so as to confine the discharge during moderate freshets to the channel of the Damodar. The initial cost of such a scheme would be 2 lakhs, and the ultimate cost before any great benefit would be derived from it would probably amount to 4 to 5 lakhs.

"The maximum discharge that can be carried by the Damodar channel below the breach is not more than one-tenth of the total discharge brought down during high flood. The balance of the flood discharge must pass over the right bank. It is possible, therefore, to exclude from the Begua channel only the discharge of moderate freshets. Such exclusion would no doubt be of some benefit to the country now inundated. The cost, however, is heavy, and it must be remembered that if the Begua breach was even partially closed the flood spill might at any time form a similar channel in another part of the river bank.

"The Damodar river is now cutting into its left bank opposite the Begua breach and it is probable that in the course of a few years the offtake of the Begua channel may move some distance down stream. If a weir were now constructed across the existing breach it might be left high and dry in a few years.

"The suggestion made in Mr. Horn's report of 1902 that the Begua channel should be trained by excavation of its bed in suitable places is alluded to. As such training works were estimated to cost 20 lakhs, and the benefit that would be derived from them was problematic, the scheme was set aside as impracticable. Removal of any existing bars in the Begua channel or any such temporary measures would not be of service in mitigating the damage done by the floods.

"Some relief might be afforded to the country inundated by the spill of the Damodar by improving the channels which connect the Begua with the Rupnarain river and thereby enabling the flood water to pass off more quickly. The most important of these channels is the Buxi khal, the discharging capacity of which is much reduced by embankments which have been constructed along its margin. The cost of retiring these embankments and thereby increasing the discharging capacity of the khal is being ascertained. As this will, however, necessitate the removal of some villages which are protected by the existing embankments, the cost would not be inconsiderable.

[*Babu Bhupendra Nath Basu; President; Babu Deba Prasad Sarbadhikari; Mr. Butler.*]

"The recommendation to provide Rs. 20,000 for work on closing the Begua breach during 1910-11 does not meet the case and would commit this Government to a recurrent expenditure of 4 to 5 lakhs on a scheme the benefits of which are doubtful. This is not advisable in the present financial position of the province."

The Hon'ble BABU BHUPENDRA NATH BASU said:—"I had the honour some time ago, when I was a member of this Council during the time of Sir Andrew Fraser, to call the attention of the Government of Bengal to this serious grievance of the people of Hooghly and Burdwan districts; it would be more correct to say, this great calamity to which these people are periodically subject. The water from the Begua breach overflows into the old bed of Dwarkeshwar, which is not able to discharge all this water, with the result that the whole country to the right side of the Damodar is inundated once every fortnight, if not more often during the whole of the rains, making any cultivation absolutely impossible, and making the life of the inhabitants very miserable indeed. I speak, Sir, from personal experience, because I have the misfortune to come from that part of the country. These inundations have reduced the people there to great straits, and have made cultivation impossible. The Burdwan Raj probably feels the pinch by reason of the deficient collections, but the people there suffer very much indeed. Mr. Inglis, while he was Chief Engineer to the Government of Bengal, suggested some means which to some extent would alleviate the sufferings of the people by cutting a canal which would carry Dwarkeshwar to Rupnarain and thus to some extent control the discharge of water which at present spills over the whole country side. I believe Mr. Inglis once said that a sum of about 30 to 50 thousand rupees would suffice for the purpose. I do not know whether the Hon'ble Mr. Butler has considered that scheme. I brought this matter before the Finance Committee of this Council; but, having regard to the largeness of the expenditure involved in the greater scheme, and to the very small funds placed at the disposal of the Finance Committee, it was not thought possible to deal effectively with the question. But I appeal to the Hon'ble Mr. Butler to visit the country when the next rains begin and to satisfy himself that the sufferings of the people there are very very great indeed. Beginning from the middle of May till the middle of October the fields are inundated nearly every fortnight, and sometimes oftener. We have in this Council our Commissioner, and we have gentlemen who have been connected with the districts of Hooghly and Burdwan, and I can appeal to them with confidence to corroborate everything that I have said. I am sure that it will not be impossible to devise some means to give some relief at least, if not complete relief, to the inhabitants who have the misfortune to live in the part of the country to the right bank of the river Damodar."

The PRESIDENT said:—"I should venture to suggest to the Hon'ble Mover of the Resolution that after hearing what the Hon'ble Member in charge has stated, it may be well if he accepts the position that there is a case for inquiry as regards this matter, but that the specific proposition put forward in the Resolution is one which has been shown by experience to be inappropriate. If the Hon'ble Member is disposed to agree in that view, the best thing would be to withdraw his resolution on the understanding that further inquiries are being made by the Public Works Department into this question."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—"I am quite convinced of the reasonableness of the course suggested, and I accept it."

The Resolution was then withdrawn together with the following Resolution of which the Hon'ble Babu Deba Prasad Sarbadhikari had given notice:—

"The Council recommend to the Lieutenant-Governor the omission of Rs. 20,000 from the following item under the heading 'Public Works Department':—

Quarters for the Executive Engineer, Ranchi—Rs. 21,000."

The Hon'ble MR. BUTLER then introduced the following head:—

Expenditure—

40. Subsidised Companies, Land, etc

[*Mr. Thomson.*]

He said:—"In introducing the budget estimate for Railways, I would explain that the only provision made in the budget for 1910-11 under this head is Rs. 2,000 for land required for the Tribeni extension of the Bengal Provincial Railway. The agreement with the Railway Company provides that the Local Government shall bear the cost of any land required for this extension."

The Hon'ble MR. THOMSON introduced the consideration of the following heads:—

Revenue—

XXXI.—Civil Works—in charge of the Public Works Department.

Expenditure—

45. Civil Works—in charge of the Public Works Department.

He said:—"The estimated *Revenue* is Rs. 3,55,000, the same as for the current year; it is chiefly derived from rents of buildings and lands, and there is little scope for expansion.

"The grant for expenditure in 1910-11 is Rs. 52,59,000. It is about 3½ lakhs more than the revised estimate for the current year, but is far below the grants for previous years.

"We have first to provide for the normal recurring expenditure on Establishment, Tools and Plant, and Repairs.

"The total estimate for *Establishment* amounts to Rs. 13,75,000, but towards this the Government of India contribute Rs. 2,85,000 on account of Imperial Works, the contribution being at the rate of 23 per cent. on the cost of Imperial Works carried out during the year. There is also a small contribution of Rs. 2,755 for work done for the Darjeeling Improvement Fund.

"The balance of Rs. 10,87,165 represents the Provincial charge. It is less than the budget estimate of 1909-10. The normal increase, on account of additions to incremental salaries, has been counterbalanced by a considerable reduction in temporary establishment.

"For *Tools and Plant* the estimate exceeds the budget estimate for this year, but is below the average. The expenditure on Tools and Plant depends largely on the extent of the works undertaken in any year.

"Under *Repairs* the estimate for *Civil Buildings* is Rs. 5,75,000, which is rather more than the budget estimate for the current year. The cost of repairs is normal, but the yearly addition of new buildings to the list, and the extension of electrical installations and sanitary improvements, adds to the total expenditure.

"The number of buildings to be maintained, excluding subsidiary buildings, is over 1,850.

"The cost of some important groups of buildings is as follows:—

	Rs.
Courts, Civil and Criminal	1,00,000
Jails	80,000
Police	84,000
Educational	60,000
Medical	66,000

"For repairs to Communications, Rs. 10,00,000 are estimated. The amount is the same as the budget estimate for this year. 1,750 miles of metalled roads and 912 miles of unmetalled roads are maintained, besides some thousands of bridges and culverts, and a number of Inspection and Dâk Bungalows. The largest items are:—

	Rs.
Grand Trunk Road	1,50,000
Orissa „ „	95,000
Calcutta Maidan and Strand Roads (this includes lighting, watering and conservancy)	1,30,000
Darjeeling Hill Cart Road	90,000
Calcutta-Jessore Road	37,000
Old Grand Trunk Road	32,000
Ranchi-Purulia Road	24,000

[*Mr. Thomson.*]

"Under Miscellaneous Public Improvements Rs. 50,000 are provided for the maintenance of a number of Miscellaneous Works including some Port and Shipping buildings in Calcutta and Orissa, works connected with the Maidan and public gardens in Calcutta, and special repairs to "Jhoras" in Darjeeling.

"Deducting the recurring expenditure from the total grant there is a balance of Rs. 24,95,000 for original works. For *Works in Progress* Rs. 8,86,000 have been allotted to *Civil Buildings*.

"The principal works which are entered on pages 16, 17 and 18 of the Financial Statement have been referred to by the Hon'ble Members in charge of the several Departments and need not be recapitulated. To these may be added :—

	Rs.
Installation of Electric Fans in the office rooms at the High Court as required by the Hon'ble Judges	10,000
Improvements at the Akra Brick Factory, which are necessary for the manufacture of bricks	8,000

"Besides these there is a large number of small items required to complete buildings in progress.

"There are only three works in progress under *Communications*.

	Rs.
Improvement of Cuttack-Sambalpur Road, Khalsa Section ...	25,000

"This road is of considerable local importance and there is heavy traffic to the railway. The work has been kept back for want of funds and it is very desirable to complete it.

"The roads in the Sambalpur district are much in need of improvement, but we are unable to do more at present.

	Rs.
Metalling a portion of the Calcutta-Jessore Road	9,200

"About 13 miles remained unmetalled, and it was considered important that the road should be metalled throughout.

"Reconstructing a bridge over Guri Khall Nalla on the Orissa Trunk Road was necessary and Rs. 5,400 are required to finish the work.

"For *New Works* Rs. 15,69,000 are available. New works are divided into two classes—

Minor works costing Rs. 5,000 or less, and

Major works costing over Rs. 5,000.

"Minor works are now dealt with mainly by the Commissioners of Divisions and the Heads of Departments who sanction estimates prepared by the Public Works Department, and allot funds from grants placed at their disposal for that purpose.

"It has been explained in the notes accompanying the Financial Statement how the former grants were found to be inadequate and have been raised in the aggregate to Rs. 3,38,200. The distribution is as follows :—

	Rs.		Rs.
Commissioners ...	1,00,000	Police, Calcutta ...	3,000
Excise Department ...	57,000	Educational ...	39,200
Jails ...	48,000	Medical ...	47,000
Police ...	39,000	Registration ...	5,000

"The New Major Works are entered in the Financial Statement on pages 16, 17, 18 and have been explained by the Hon'ble Members in charge of the departments concerned, with the exception of one work for the Public Works Department, viz., quarters for the Executive Engineer at Ranchi, Rs. 21,000.

"The demand for house accommodation at Ranchi has increased so much and rents have become so high that it is very difficult to find a house for the Executive Engineer, and it is therefore necessary to build a house.

"The electrical installations in all public buildings in Calcutta are now maintained by Government instead of by private firms and the arrangement is found more convenient and economical. For all the fans, lights, lifts, pumps, and so on, accessories are required, for repairs and renewals, and Rs. 10,000 are provided for that purpose.

[*Babu Deba Prasad Sarbadhikari; Mr. Gourlay; President.*]

"There are no new works entered under *Communications*.

"The estimate for *Miscellaneous Public Improvements* includes provision for a metre to measure the water used on the Calcutta Maidan roads as required by the Calcutta Corporation.

"A general reserve of Rs. 1,00,000 has been provided under Civil Buildings and Rs. 85,000 for Communications.

"It is usual, and absolutely necessary, to keep a substantial reserve to meet unforeseen requirements."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI then moved the following Resolution:—

"The Council recommend to the Lieutenant-Governor that a provision of Rs. 1,000 be made for contribution towards the expenses of the repairs of the ancient temple of Ghanteswar in Khanakul, district Hooghly."

He said:—"I now come to the last and the least of my resolutions which are now fast oozing out, and I hope its very size will enable it to pass. I feel I am pleading in a worthy cause which will receive attention even if my Resolution is lost. A representation on the subject is, I believe, already before the Government, and it can be acted upon independently of my Resolution.

"The sum of Rs. 1,000 I venture to ask for in this Resolution is by way of contribution towards the urgently needed repairs and protection of the site of the ancient and venerated temple of Ghanteswar within the thana of Khanakul in the district Hooghly. It is a temple mentioned in our ancient religious literature and near it is one of 52 *Pitasthans* which all Hindu India venerates. The old temple is an object of interest and value also from an architectural and archæological point of view and it is seriously threatened by the inroads of Dwarkeshwar, which is one of the branches of the river Damodur through which the Begua overflow passes to the serious detriment of the locality. The local public have caused an estimate to be prepared by two well-known Engineers, one of whom, Babu Hari Podo Ghosal, B.C.E., suddenly died the other day, under singularly tragic circumstances as a result of illness contracted while rendering gratuitous services in the causes of the preservation of the temple. Subscriptions are being collected for the repairs. But as the local public, already impoverished as a result of these floods and persistent malaria, are unable to meet the whole of the costs, I venture to ask that a small contribution of a thousand rupees be made towards the cost by the Government."

The Hon'ble MR. GOURLAY said:—"This is not a very large item of expenditure, and the work might be undertaken on the ground of the archæological interest of the monument. I have examined the list and can find no account of this monument in this list of ancient monuments that we have. Mr. De (the Collector of Hooghly) has visited the spot lately, and he has informed me that a local Committee has been formed with the Hon'ble Babu Bhupendra Nath Basu as the President and that a sum of about Rs. 1,000 has been already collected. Mr. Longhurst, who is the Archæological Surveyor, is at present away on tour in the Central Provinces, and I have not been able to communicate with him and ask him to visit the place. I shall, however, ask him to do so soon after he returns, and if he reports that this is a monument of archæological interest, we will take the matter up. If it is not of archæological interest, the course already taken by the local people of contribution towards the repairs is the best one possible, and the District Engineer will give any assistance in the way of advice for which he is asked. Perhaps this assurance will satisfy the Hon'ble Member."

The Hon'ble THE PRESIDENT said:—"I take it that the Resolution is withdrawn on the undertaking given by the Hon'ble Mr. Gourlay."

The Resolution was then withdrawn, together with the following Resolution of which the Hon'ble Babu Deba Prasad Sarbadhikari had given notice:—

"The Council recommend to the Lieutenant-Governor the omission of Rs. 1,000 from the following item under the heading 'Public Works Department':—

Quarters for the Executive Engineer, Ranchi—Rs. 21,000."

[Mr. Wheeler.]

The Hon'ble MR. WHEELER then introduced the following heads:—

Revenue—

XXXI.—Civil Works—in charge of the Civil Department.

Expenditure—

45. Civil Works—in charge of the Civil Department.

He said:—"The Hon'ble Mr. Thomson has dealt with the Civil Works in charge of the Public Works Department, but it will be seen that the budget also includes entries on account of Civil Works in charge of Civil Officers.

"On the receipt side the budget reproduces the sanctioned estimate for 1909-10 (Rs. 1,80,000), the only item of importance being that of tolls on ferries. As regards expenditure, the two largest items are Rs. 7,63,000 on account of contributions in aid of Excluded Local Funds and Municipalities, and Rs. 11,24,000 for contributions to District Funds and District Road Funds. The former includes the lump provision of four and-a-half lakhs which is allotted to us by the Government of India for the execution of sanitary improvements. This is in continuation of a similar grant in the budget for the current year, the details of the expenditure incurred from which will be found in paragraph 60 of the General Review. The money is distributed as schemes come up in the course of the year. It is impossible to allot it now, since we have no list of sanctioned schemes which are only waiting for funds to be undertaken. Some municipalities are working upon projects of water-supply and drainage, and as these are completed, the means of financing them will be considered. This usually entails assistance from Government, which is practically never refused if local effort is forthcoming to an appropriate extent. Government does not, and cannot, attempt to pay for the majority of such schemes entirely, but grants are given in proportion to the funds forthcoming from other sources. The next largest item is one of Rs. 1,07,900 to the Calcutta Corporation on account of the re-alignment of the sewers in the neighbourhood of the new Presidency Jail. The total expenditure on this project is Rs. 1,52,900, of which Rs. 25,000 was given in 1908-09 and the balance has been provided in the revised. The work was undertaken at the instance of Government and in the interests of the new Jail, and the grant-in-aid was made for this reason. The Calcutta Corporation also receives Rs. 50,000 as the Government contribution towards the drainage of the fringe area, exclusive of one or two other small grants. The only other large item is the allotment of Rs. 1,00,000 to be placed at the disposal of Commissioners for petty works of local improvement. In the current year's budget the corresponding provision is Rs. 75,000. The system has worked successfully, and it permits the Commissioner to give immediate aid to deserving objects brought to his notice while on tour or at other times. The effect of such petty grants is far greater than a tardy recognition of such purpose, made after a reference to head-quarters. Otherwise the provision is made up of various petty grants, each of which has a history of its own, but which it is scarcely necessary now to detail.

"The second provision of Rs. 11,24,000 is for contributions to District Funds. The bulk of this, Rs. 8,90,000, falls under the grants-in-aid to the resources of District Funds and Road Funds, which Government makes upon the basis of 25 per cent. of the net receipts of each fund from Road Cess. The system has been in vogue since 1905-06. Another large item is a grant of Rs. 60,000 to the Sonthal Parganas. The local resources of this district are not equal to its needs, and it has for some time been the custom to assist it. Of the collections on Government estates, one and-a-half per cent. is made over to District Funds and Road Funds for the improvement of roads, and this accounts for an item of Rs. 51,912. Further, there is a lump provision of Rs. 60,000 for the construction of feeder roads, which become necessary as districts are opened up and railways spread, and the District Road Fund in Singhbhum receives an annual special grant of Rs. 10,000 on the ground that its own income is insufficient to meet the reasonable requirements of the district."

The Hon'ble MR. BUTLER introduced the following heads:—

Revenue—

XVIII.—Ports and Pilotage.

Expenditure—

21. Ports and Pilotage.

He said:—"In introducing the Ports and Pilotage Budget estimate for 1910-11, I would offer the following remarks:—

"The receipts for the current year are expected to be somewhat larger than at first anticipated, owing to the addition of Rs. 5,700, the sale-proceeds of the Port Officer's launch *Enchantress*, which had become unserviceable from age. There is now no launch entirely at the disposal of the Port Officer, but it will be necessary to provide one when funds are available. The increase under head "Pilotage" is due to an increase in the tonnage of vessels using the port.

"In 1910-11 a further small increase is expected from pilotage for the same reason. There will, however, be a decrease under the head 'Sale-proceeds,' also from examination fees, as the Government of Eastern Bengal and Assam now conducts its own examinations for certificates under the Inland Steam-vessels Act, 1884 (VI of 1884).

"The expenditure during the current year is expected to be nearly one lakh less than anticipated. This is due to the postponement of the purchase of new boilers for the S.S. *Guide* and to reduced towing charges for the State Yacht *Rhotas*. The reduction under head 'Pilotage and Pilot Establishment' is due to the figures in the revised estimate being based on the actuals of the first nine months of the year.

"The budget provision for 1910-11 is about 1½ lakhs in excess of the revised estimate for the current year. This is due to the provision of Rs. 57,000 for the purchase of new boilers for the S.S. *Guide*. The present boilers are old and worn, and it would not be safe to keep them in use for another year.

"The anticipated increase under the head 'Pilotage and Pilot Establishment' is due to an expected increase in the number and tonnage of vessels using the port.

"Provision has been made for the house allowance recently sanctioned for the Assistant Shipping Master, Assistant Port Officer and the Surveyors of Steam-vessels.

"The building now occupied as Leadsmen's quarters at Kidderpore has been acquired by the Port Commissioners, and will eventually be dismantled by them to make room for the extension of the docks. Pending the construction of new quarters, an expenditure of about Rs. 2,000 is necessary to keep the present quarters habitable."

The Hon'ble MR. WHEELER introduced the following heads:—

Revenue—

XII.—Interest.

XXII.—Receipts in aid of Superannuation, etc.

Expenditure—

1. Refunds and Drawbacks.
29. Superannuation Allowances and Pensions.

He said:—"The group of Major Heads which it is down in my name to introduce does not perhaps call for particular remarks.

"The Interest Budget represents for the most part the loan transactions of the Local Government. We borrow money from the Imperial Government at 3½ per cent. calculated on the mean outstanding balance, and re-lend it, under the Land Improvement and Agriculturists' Loans Acts, to Co-operative Credit Societies, as drainage and embankment advances, to land-holders, etc.,

and to local bodies. The receipts comprise the interest we receive (with a few other odd items), and the expenditure is the interest we pay. The only noticeable feature is the heavy suspensions of the realisation of interest on account of famine conditions, which is reflected in the reduced estimate for the revised under Land Improvement and Agriculturist Loans. Neither will this be made entirely good next year, as the recoveries may be spread over an extended period.

"In the Superannuation Budget the receipts represent the recoveries from different officers towards their pensions, and the expenditure, the pensions and allowances actually disbursed. These, unfortunatoly, tend constantly to increase.

"Refunds and drawbacks occur in different departments, and we budget on the basis of the average actuals of the past three years."

The Hon'ble MR. DUKE introduced the following heads :—

Expenditure—

33. Famine Relief.
36. Reduction or avoidance of Debt.

He said—"The only observation that requires to be made with reference to the head 'Famine Relief' is perhaps that the Government has to congratulate itself on the extremely prosperous condition of this year compared with the time when the last year's budget was framed. Then prospects were distinctly ominous. There had been a failure of rain in North and South Bihar and in other parts of the Province, and we were compelled to budget on the expectation of having to undertake extensive famine relief operations, so that altogether a provision of Rs. 9,14,000 appeared necessary. But we were fortunate in that a great deal of rain fell during last hot weather, so that in the end famine had only to be declared in the district of Darbhanga, and in all the other districts which suffered from distress, the necessary relief was afforded by test works and by a liberal provision of agricultural loans which the favourable early rains enabled to be distributed to advantage.

"The result is that in the revised estimate only Rs. 2,84,000 appeared for famine. This year owing to the magnificent crops which have been reaped and to the favourable prospects of the *rabi* harvest at present, there appears no possibility of any famine relief being required, and accordingly nothing has been budgeted under this head.

"The other head 'Avoidance of Debt' is a matter of account. On page 3 of the Financial Statement on the receipt side amongst the assignments from Imperial funds will be found a sum of Rs. 2,60,000, which is regularly assigned to us by the Imperial Government as a provision against incurring debt to them by our expenditure on famine, and the same sum appears in the budget estimate of expenditure."

The Hon'ble MR. WHEELER introduced the following heads :—

Revenue—

XXV.—Miscellaneous.

Expenditure—

32. Miscellaneous.

He said:—"The Miscellaneous Budget covers a variety of odds and ends, but on the receipt side the only noticeable change is, perhaps, the enhancement of the revised on account of the sale of the trawler *Golden Crown*, and of the Jorabagan Thana in Calcutta, the sale proceeds of which figure partly in the revised and partly in the budget for 1910-11. In the latter the sale proceeds of the Garden Reach Thana are also shown.

"On the expenditure side the revised shows a saving of Rs. 1,44,000, which was mainly due to savings under donations for charitable purposes, the expenditure under which has gone up considerably in recent years, but in respect of which the present financial position does not permit of excessive liberality; economies under special commissions of enquiry which in the current year covered the Fishery enquiry now transferred to the Scientific and

Minor Departments Budget—the *Golden Crown* has been sold, and the crew paid off; and to the fact that no portion of the grants to District Funds was debited to this head.

"The Budget is less by Rs. 1,29,000 than the sanctioned estimate of the current year. As just stated, the cost of the Fishery Department is now shown elsewhere, and we have cut down the provision for charitable donations to bare requirements. On the other hand, the allotment for petty grants by His Honour has been now inserted in this budget (it was previously shown under Civil Works in charge of Civil Officers), and has been raised from Rs. 50,000 during 1909-10 to Rs. 1,00,000. The demands to be met are numerous, and the smaller provision scarcely permitted of any substantial sums being given in individual cases. For special commissions of enquiry a lump provision of Rs. 20,000 has been made, and the experiment of a training school for apprentices at Alipur accounts for an expenditure of Rs. 3,140. Finally, a lump sum of Rs. 1,05,000 is included under Miscellaneous and unforeseen charges. This (taken with a reserve of Rs. 50,000 under Civil Works in charge of Civil Officers) represents the reserve which we keep back to meet unforeseen demands during the ensuing year. It is impossible to work without such a reserve, as we know from past experience that demands will arise which we cannot now foretell. This is unavoidable. Although the provision here is new, this does not mean that in previous years no reserve has been kept. It was the custom to leave small margins scattered about the budget under different heads, which amounted for instance during 1909-10 to an aggregate of Rs. 3,23,528. This was inconvenient in working, and obscured the true position. It seems in every way preferable to provide a general reserve in large sums which can easily be identified as representing what is intended."

The PRESIDENT said:—"Gentlemen—That concludes the discussion of the revised Financial Statement in so far as discussion is permitted by the rules at the present stage. I think the proceedings have been business-like and satisfactory and that they will be found to have cleared the ground for the fuller discussion which will take place at an early date. Our intention is to present the final budget to the Council on the 26th of this month, and then after an interval of a week or thereabouts, the regular debate on the budget as a whole will take place.

"We will now take up the consideration of the business provided for this day, which consists of the Resolution of which notice has been given by the Hon'ble Babu Baikantha Nath Sen and of a number of amendments to that Resolution."

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The Hon'ble BABU BAIKUNTHA NATH SEN was to have moved the following Resolutions:—

I. The Council recommend to the Lieutenant-Governor—

(*a*) that the system of appointment to the Provincial Service by nomination be abolished, and

(*b*) that the competition test be restored, and

(*c*) that competitive examinations for the selection of the requisite number of officers for the Executive branch of the Provincial Service be held in as many centres as there are seats of Divisional Commissioners, with such standards for the test as may be deemed proper and fair.

II. Should the recommendation for competitive examination, as made in the foregoing Resolution, be not deemed fit to be accepted, the Council further recommend to the Lieutenant-Governor that a competitive special examination be held for selection amongst those candidates who may be nominated by the Divisional Commissioners and the Calcutta University.

[*Babu Baikuntha Nath Sen; President.*]

He said:—"Your Honour—Instead of moving the Resolutions standing against my name, I am going to withdraw them after offering some personal explanatory remarks. I had asked for and taken two remands. On the first occasion, I came to know that our hon'ble colleague, Babu Bhupendra Nath Basu, had asked certain questions and had asked for certain information. I thought that it was proper and desirable that the information should have been obtained before moving the Resolutions. Then on the second occasion, the questions put by my hon'ble friend were answered, and we received the information, but there was not sufficient time for studying the statistics, and so I asked for another postponement. After that when I found that there were several amendments opposed to my Resolutions, I thought that an attempt should be made to come to a satisfactory conclusion. I therefore invited all the non-official Members of this Council to assemble together, and I had Your Honour's permission to use the old Council Chamber, and we did meet there on the 9th instant. There we assembled and discussed the matter, and it was expected that a certain scheme which was suggested by my hon'ble colleague, Babu Bhupendra Nath Basu, would be accepted by all the members. Last evening, there was an assembly of a large number of Members of this Council, as well as of the Imperial Council amongst whom were two Muhammadan Members. Then I came to know with surprise and with a certain amount of regret that there was a certain amount of ill-feeling and a little heart-burning amongst some of our Bihari and Muhammadan colleagues. My hon'ble friends were labouring under a misconception. I was told that they thought that I had intended by moving these Resolutions to monopolize all the appointments for the Bengali Hindus to the exclusion of the Bihari candidates as well as Muhammadans. Nothing was further from my intention than this. The wording of the Resolutions intended to be moved by me shows that there was no proposal of an *ont and out* competition. There would be, as contemplated by the Resolutions, nomination as well as competition. Besides, my object mainly was by moving these Resolutions prominently to draw the attention of the Government to the minute of Sir Steuart Bayley of 1889, which was altogether ignored by the Resolutions of the Government of India and the Bengal Government of 1904. That minute is a masterly one on the subject, and gives the whole literature from a certain time. That that should have been altogether ignored when the Resolutions of 1904 were adopted by the two Governments is not satisfactory and I thought that this should be brought to the notice of Your Honour's Government. Now such being the case, and in order that there might not be any misunderstanding or ill-feeling amongst ourselves, and in order that we might act harmoniously and might co-operate without there being any friction, I came to the conclusion at the request of some of my best friends that I should not allow anything like irritation to spring up. Sir, it is with that desire that I consider it expedient to withdraw the Resolutions which stand in my name, and I ask Your Honour's permission to do so. Of course, I intend to bring this question up at a later time when it would be permissible under the rules, and I hope by that time my Hon'ble colleagues will study the matter and will look at this question in a dispassionate manner. We shall then come to an unanimous opinion on the subject. I have the authority of my Hon'ble friend, Babu Bhupendra Nath Basu, that he will withdraw his amendment, and I believe all the others of my colleagues who gave notice of amendments will also withdraw their amendments."

The PRESIDENT said:—"There are amendments standing in the names of the Hon'ble Rai Kishori Lal Gossain Bahadur, the Hon'ble Rai Sita Nath Ray Bahadur, who is absent to-day, the Hon'ble Babu Bal Krishna Sahai, the Hon'ble Mr. Dip Narayan Singh, the Hon'ble Khan Bahadur Maulvi Sarfaraz Husain Khan and the Hon'ble Babu Bhupendra Nath Basu. Strictly speaking, when the original Resolution is withdrawn, all amendments to that Resolution would necessarily disappear with it; but I am not quite certain whether some of these so-called amendments ought not to be regarded as substantive Resolutions. Therefore I ask each of the movers of these amendments to state whether he agrees in the course proposed by the Hon'ble Babu Baikuntha Nath Sen."

[*Rai Kishori Lal Gosain Bahadur; Babu Bal Krishna Sahai; Mr. Dip Narayan Singh; Khan Bahadur Maulvi Sarfaraz Husain Khan; The President.*]

The Hon'ble RAI KISHORI LAL GOSAIN BAHADUR said:—

"After hearing the Hon'ble Babu Baikuntha Nath Sen, I see no reasons for pressing my amendment."

The Hon'ble BABU BAL KRISHNA SAHAI and the Hon'ble MR. DIP NARAYAN SINGH also withdrew their amendments.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said:—

"I have no objection to withdraw my amendment, but I may be allowed to say a few words with reference to what has fallen from my hon'ble friend Babu Baikuntha Nath Sen. He said that at the informal meeting held in the old Council Chamber we agreed that the scheme which was proposed by the Hon'ble Babu Bhupendra Nath Basu would be acceptable to the other members. I was present at that meeting, and I may submit that there was no such understanding. The reasons which have induced my hon'ble friend to withdraw his Resolutions are well known to him. It is discretionary and optional with him. There was also no bitterness of feeling to which he referred. That is all I have to say on this matter."

The PRESIDENT said:—"The Resolution and the various amendments that have been notified in connection with it are by leave withdrawn.

The Council was then adjourned to Saturday, the 26th March, 1910, at 11 A.M.

F. G. WIGLEY,

Secretary to the Bengal Legislative Council.

CALCUTTA,
The 12th April, 1910.

B. S. Press—20-4-1910—447dJ—400—W. M. D.'C.

Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Saturday, the 26th March, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding.*

The Hon'ble Mr. F. A. SLACKE, C.S.I., *Vice-President.*

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. E. W. COLLIN.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. E. P. CHAPMAN.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

THE HON'BLE BABU BHUPENDRA NATH BASU.

THE HON'BLE BABU SITA NATH RAY BAHADUR.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. W. J. BRADSHAW.

[*Babu Bhupendra Nath Basu; Mr. Gourlay; The President; Dr. Abdullah-ul-Mamun Sahrawardy.*]

Oath of Allegiance.

The Hon'ble MR. GHULAM HUSAIN KASIM ARIF.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

OATH OF ALLEGIANCE.

The Hon'ble Mr. Chapman made the prescribed oath of allegiance to the Crown.

QUESTIONS AND ANSWERS.

THE PRESIDENCY COLLEGE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

(*a*) What is the total estimate of the expenditure for the improvement and extension of the Presidency College?

(*b*) How much of this sum has already been spent, and what are the heads upon which the expenditure has been incurred?

The Hon'ble MR. GOURLAY replied:—

(*a*) "No detailed plans and estimates have yet been prepared in connection with the improvement and extension of the Presidency College; but the cost of the whole scheme has been roughly estimated at about 20 lakhs, and the Director of Public Instruction, Bengal, has been asked to draw up an ordered programme for gradually carrying out the scheme."

(*b*) "A sum of Rs. 3,19,684 has been spent on the acquisition of land. No other expenditure has been incurred."

The Hon'ble BABU BHUPENDRA NATH BASU asked the following supplementary question:—

"Does the Government treat the question of the removal of the Presidency College as a closed question or as one open to discussion?"

The PRESIDENT said:—"That question does not arise out of the answer that has been given."

THE LATE KHAN BAHADUR SHAMS-UL-ALAM, DEPUTY SUPERINTENDENT OF POLICE.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY asked:—

(*a*) Will the Government be pleased to state what measures it has in contemplation to make provision for the family of the late Khan Bahadur Shams-ul-Alam, Deputy Superintendent of Police?

(*b*) Is there any truth in the statement published in some newspapers that the Government has already made a grant of Rs. 1,500 to the family of the deceased?

(*c*) Will the devolution of any grant, whether in money or land, which the Government may make to the family of the deceased, be governed by the Muslim Law of Inheritance?

The Hon'ble MR. DUKE replied:—

(*a*) "Government proposes to provide for the family of the late Khan Bahadur Shams-ul-Alam by a grant of land yielding an income of about Rs. 5,000 annually.

"The arrangements for this grant are in progress."

(*b*) "The statement that a money grant of Rs. 1,500 has been made to the family to maintain them while the arrangements for the grant of land are being carried out is correct."

(*c*) "It is not the intention of Government to propose any special devolution of the grant which may be made for the family of the late Khan Bahadur."

THE BURDWAN POST-OFFICE.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY asked:—

Will the Government be pleased to state—

(*i*) the distance between the Burdwan Collectorate Treasury and the local Post-office; and

(*ii*) the number of Revenue Money-orders issued from the Post-office in January and September last?

The Hon'ble MR. DUKE replied:—

(*i*) "The distance between the Burdwan Collectorate Treasury and the local post-office is slightly under 300 yards."

(*ii*) "The number of Revenue money-orders issued from the post-office in January and September last was 7,338 and 1,427, respectively."

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY asked the following supplementary question:—

"Will the Government be pleased to hold an inquiry as to the reason why, in spite of the Post-office and the Collectorate Treasury being so close to each other, people resort to the Post-office for payment of Government revenue?"

The Hon'ble MR. DUKE said:—

I regret I cannot answer this question without notice."

THE SYEDPUR TRUST ESTATE.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY asked:—

(*a*) Will the Government be pleased to state the antecedents and qualifications of the present Manager of the *waqf* estate of Haji Muhammad Muhsin, called the Syedpur Trust Estate, in the district of Khulna?

(*b*) Was ever any effort made to appoint a qualified Muslim to the post?

(*c*) Is it true that the said Manager has relations who are tenure-holders under the Trust Estate or proprietors of neighbouring lands?

(*d*) Is it true that the said estate has recently lost in a civil suit a thousand bighas of valuable lands, which have passed into the possession of a local pleader, and that the estate had to pay Rs. 1,600 as costs of the litigation?

(*e*) Is it true that in another suit, to which the said estate and a relation of the said Manager are parties, five thousand bighas of land have been attached under section 145 of the Code of Criminal Procedure?

(*f*) Is it true that the net annual income of the said estate is Rs. 85,000, out of which Rs. 60,000 goes to the Muhsin Fund, Rs. 5,000 as management and audit rate, Rs. 4,000 as contribution to schools and hospitals and Rs. 4,000 as costs of establishment? If so, will the Government be pleased to lay on the table a detailed account of the expenditure of the balance, Rs. 12,000?

(*g*) Is it true that, out of the fund reserved for contribution to schools, not a single penny goes to the 200 maktabs and madrasahs in the district of Khulna, while grants-in-aid are made to schools having no Muslim students on their rolls? If so, will the Government be pleased to lay on the table a list of schools in receipt of grants-in-aid out of the said fund, together with a statement of the amount of such grants to each school and the number of Muslim students on its rolls?

(*h*) In consideration of this Trust Estate being a Muslim *waqf*, will the Government be pleased to associate with the management thereof representative Muslim gentlemen of Bengal, or, in the alternative, to entrust a Muslim Government official with the task of supervising its management?

The Hon'ble Mr. DUKE replied:—

(*a*) "Babu Jotindra Nath Bose, the Manager of the Syedpur Trust Estate, prior to his appointment to his present post, had done eight years' service a Head Clerk of the Estate."

(*b*) "So far as Government is aware, no other candidate was in the field at the time of the present Manager's appointment. No occasion has ever arisen for making any change in the management."

(*c*) "It is true that the Manager has distant relatives who are tenure holders under the Trust Estate or proprietors of neighbouring lands. So far as Government is aware, however, the Manager has never allowed his relationship with these persons to influence him in the administration of his charge."

(*d*) "It is understood that the case referred to was a suit instituted by the Patnidars of Damodar which adjoins the Trust Estate Bil Dakatia. The Subordinate Judge decided in the plaintiffs' favour on the ground that the Survey Maps showed that the lands claimed by them appertained to Damodar. An appeal was preferred before the District Judge which was dismissed. The Collector, in consultation with the Government Pleader, decided not to prefer an appeal to the High Court. The Manager gave evidence in favour of the estate, but was in no way responsible for the conduct of the case. The estate had to pay Rs. 1,061 as costs."

(*e*) "It is understood that the case referred to is one in which certain lands claimed as belonging to Bil Dakatia were attached under section 146 of the Code of Criminal Procedure. The estate, however, was not a party to the case as Bil Dakatia was leased out in perpetuity in 1891. The estate loses nothing by the attachment as, under the terms of the lease, the lessees are bound to pay the full stipulated rent.

(*f*) "A statement abstracted from the budget estimates of the Syedpur Trust Estate for the year 1909-10 is laid on the table, which furnishes the information required by the Hon'ble Member."

(*g*) "A statement is placed on the table showing the schools in receipt of grants-in-aid from the Syedpur Trust Estate together with the amount of the grant and the number of Muhammadan students on the roll in each case. It will be observed that there are Muhammadan students in every school which receives a grant, with the exception of two Girls' Schools. It may be added

that the Muhammadan students enjoy preferential treatment in respect of fees. Some pay at one-half or one-third rates, and many are free. As regards Madrasahs and Maktabs, only one Madrasah within the estate has applied for help, and a contribution has been granted. Only three Maktabs have asked for assistance. One application has been rejected, as the Maktab is situated outside the estate. The other two have only recently been started, and funds are not at present available for their assistance."

(*h*) "Government does not consider it desirable to make any change in the system of management, which is controlled by the Board of Revenue, and, under the Board, by the Collector."

(*Referred to in the above answer.*)

Statement abstracted from the Budget Estimates of the Syedpur Trust Estate for 1909-10.

INCOME.

	Rs.	Rs.
Gross income		1,99,039
Deduct—Payments on account of—		
Government revenue	95,253	
Rent to superior landlords	4	
Cesses	17,298	
		1,12,555
		86,484

EXPENDITURE.

Payment to Muhsin Fund		60,000
Management—		
(*a*) Salaries of Manager and establishment, travelling allowance, commission and contingencies	6,122	
(*b*) Survey, settlement and butwara ...	800	
(*c*) Repairs of the Tahsil offices and compound ...	3,200	
		10,122
Rates—		
(*a*) General rate under the Government management of Private Estates Act, X of 1892 ...	4,455	
(*b*) Audit rate	560	
		5,015
		75,137
Law expenses		2,340
Schools and Hospitals—		
Schools	3,560	
Dispensaries	816	
		4,376
Charities, maintenance of buildings, etc., pension, grants for agricultural, sanitary and miscellaneous improvements, purchase of tenants' rights and other petty expenses		4,293
Payment of debts		1,150
Total Expenditure		87,296

[*Dr. Abdullah-ul-Mamun Sahrawardy; Mr. Duke.*]

Statement showing the Schools which are in receipt of Grants-in-aid from the Syedpur Trust Estate, together with the account of the grant and the number of Muhammadan students in each case.

No.	Name of school and the district in which situated.	Approximate number of students on the roll.			Monthly contribution from Trust Estate Fund.
		Hindus.	Muhammadans.	Total.	
	Khulna district.				Rs.
1.	Daulatpur H. E. School ...	201	94	295	85
2.	Tala „ „ ...	82	37	119	35
3.	Poygram-Kasba School ...	72	70	142	30
4.	Raruli „ ...	125	15	140	20
5.	Kalishkhali „ ...	54	8	62	10
6.	Kheshra M. E. School ...	65	2	67	10
7.	Sujansaha „ „ ...	45	10	55	10
8.	Hariharnagar L. P. School ...	9	35	44	3
9.	Balia Teghoria „ „ ...	16	15	31	3
10.	Durgapur Madrasah (Junior) ...	...	42	42	3
11.	Sovana U. P. School	25	10	35	5
12.	Deora L. P. School	15	25	40	3
13.	Sahajatpur L. P. School ...	5	30	35	3
14.	Khulna Girls' School	108	3	111	10
15.	Moheswarpasha Girls' School ...	41	...	41	5
16.	Baruipara „ „ ...	30	...	30	5
	Jessore district.				
17.	Bidyanandakati H. E. School ...	69	6	75	15
18.	Basundia M. E. School ...	60	50	110	20
19.	Laujani L. P. School ...	15	10	25	5

MUHSIN *WAQF* ESTATES.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY asked :—

Will the Government be pleased to lay on the table an abstract account of the income and expenditure of the Muhsin *Waqf* estates?

The Hon'ble MR. DUKE replied :—

"The Muhsin *Waqf* Estate comprises all the properties included in the deed of endowment, some of which are not administered by Government. Government is consequently unable to furnish in full the information required. An account of the income and expenditure of the estates which are under the control of Government will be found in the Muhsin Endowment Budget, a copy of which for the year 1909-10 is placed on the table for information."

(Referred to in the above answer.)

Budget Estimate of the Muhsin Endowment Fund for the year 1909-10.

Heads.	Actuals, 1907-08.	Budget Estimate 1908-09.	Actuals of 12 months ending 30th November 1908.			Revised Estimate, 1908-09.	Estimate, 1909-10.			Explanatory Remarks.
			Last four months of 1907-08.	First eight months of 1908-09.	Total.		Proposed by Local officers.	Revised by Accountant-General.	Passed by Government	
1	2	3	4	5	6	7	8	9	10	11
RECEIPTS.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
oo	20,299	.....	.....	.....	.....	24,159	.....	29,159	29,159	
Endowments—										
from Syudpur Estate ...	73.710	60,000	33.710	40,000	73,710		60,000	60,000	60,000	
ixed Endowment ...	36,903	36,903	.....	36,903	36,903		36,995	36,903	36,903	
ariable Securities ...	3,156	3,156	.....	3,156	3,156		3,164	3,156	3.156	
—										
erry Ghât receipt ...	.....	810	.....	.....	.....		810	810	810	
s receipts	799		25	...	25		702	...	.....	Omitted as these receipts are credited to the Imambara Hospital Fund.
s	.....	360	.....	.....	.....		380	380	380	The estimate of the Director of Public Instruction reproduced.
s receipts	12	.....	.....	54	54		.....	.....	.....	
Total ...	1,14,580	1,01,229	33,735	80,113	1,13,848	(a)1,11,000	1,02,051	1,01,249	1,01,249	(a) The revised estimate allows for the average surplus income of Rs 10,000 based on the actuals of the last three years
Grand Total ...	1,34,879	.....	.....	.....	.....	1,35,159	.....	1,30,408	1,30,408	

Budget Estimate of the Muhsin Endowment Fund for the year 1909-10—continued.

Heads.	Actuals, 1907-08.	Actuals of 12 months ending 30th November 1908			Revised Estimate, 1908-09.	Estimate, 1909-10.			Explanatory Remarks.
		Budget Estimate, 1908-09.	Last four months of 1907-08.	First eight months of 1908-09	Total.		Proposed by Local officers.	Revised by Accountant-General.	Passed by Government.	
1	2	3	4	5	6	7	8	9	10	11
EXPENDITURE.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Percentage for Treasury Establishment...	.....	.....	—572	.....	—572	.....	559	.. .	.....	Omitted, *vide* Government India, order No. 7677A., dated the 23rd December 1907.
Madrassas	3,332	6,280	888	1,601	2,489	.....	6,616	6,616	6,616	
Scholarships	4,508	2,000	1,584	2,434	4,018	.....	2,000	2,000	2,000	
Grant to Madrassas	100	898	50	110	160	.....	898	898	898	
Short fee payments of Muhammadan students	13,208	14,725	11,845	1,416	13,261	.....	15,865	15,865	15,865	Includes provision of Rs. 540 for short-fee payments to Muhammadan students of the Campbell, Patna and Cuttack Medical Schools.
Miscellaneous	464	.....	294	524	818	.....	.....	.....	.....	
Net grant for educational purposes in Eastern Bengal districts	30,000	30,000	.....	30,000	30,000	.....	.....	30,000	30,000	
MEDICAL.										
Hospitals and Dispensaries.										
Contribution for pay of Assistant Surgeon	1,188	.....	1,188	.....	1,188	.....	.....	.....	.....	
House rent	255	.. ...	80	143	223	.....	.....	.....	.....	
Municipal rates and taxes ...	13	.....	1	.....	1	.....	.....	.....	.....	
Contingencies	3,008	.....	3,008	.....	3,008	.....	.....	.....	.....	
Miscellaneous										
Annual contribution to the Dufferin Hospital for female patients	1,200	1,200	400	800	1,200	.....	1,200	1,200	1,200	
Petty construction and repairs ...	4,475	.....	1,000	. ..	1,000	.....	.....	. . ..	.....	
Contribution for the maintenance of the Imambara Hospital	7,558	9,700	1,188	7,437	8,625	.....	10,398	10,398	10,398	
Unani Dispensary—										
Establishment	1,371	1,575	500	1,000	1,500	.....	1,635	1,635	1,635	Increase is due to increment.
Grain allowance	.....	.....	.....	.....	.....	.....	36	36	36	Local Agents' estimate reproduced.
Bazar medicines	494	370	123	258	381	.....	370	370	370	
Contingencies and Miscellaneous ...	69	75	28	41	69	.....	75	75	75	
Rent of the residence of the family of the Hakim of the Unani Dispensary...	.....	50	.....	.....	.....	.....	50	50	50	
Local Agents' Establishment.										
Clerk	642	654	216	738	954	.....	761	761	761	Increase is due to increment and to provision having been made for contribution towards the pension and leave allowances of the Local Agents' clerks.
Servant										
Temporary Establishment	.....	60	.. ...	.....	.....	.....	.....	.....	.....	
Grain allowance	.....	.....	.....	.....	.....	.....	18	18	18	
Leave allowance	.....	... ..	.....	.....	.....	.....	50	50	50	
Contingencies	76	—84	—1,459	42	—1,417	.....	84	84	84	
Miscellaneous										
Contribution for water-works in Hooghly and Chinsurah	.....	10,000	.....	.....	.....	.....	.....	.....	.....	

Heads.	Actuals, 1907-08.	Budget Estimate, 1908-09.	Actuals of 12 months ending 30th September 1908.			Revised Estimate, 1908-09.	Estimate, 1909-10.			Explanatory Remarks.
			Last four months of 1907-08.	First eight months of 1908-09.	Total.		Proposed by Local officers.	Revised by Accountant-General.	Passed by Government.	
1	2	3	4	5	6	7	8	9	10	11
AL—*concluded.*	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	
us Endowment,										
ith share	8,791	6,701	3,235	4,445	7,680	.....	6,701	3,333	3,333	Decrease is due to provision having been made here for the payment of half only of the one-ninths share for the pay of the Mutwali sanctioned in Government order No. 4464, dated the 20th November 1908.
e-ninths share ...	17,833	20,103	8,166	12,333	18,499	.....	20,103	20,103	20,103	
ishment	9,569	9,609	3,223	6,446	9,669	.....	9,609	9,609	9,609	
.. ..	.....	60	.....	.....	.....	.....	60	60	60	
... ...	1,703	1,700	1,025	1,667	2,692	.....	.....	.....	2,500	It is for Government to decide what provision should be made under this head.
remunations.										
... ...	763	536	220	366	586	.....	368	3,702	3,702	Raised to provide for the pension of the retired Mutwali sanctioned in Government order No. 4464, dated the 20th November 1908.
.. ..	.....	.....	.....	.....	.....	.....	.....	.....	.....	
ks by Civil Officers.										
... ...	.....	.....	.....	.....	.....	.....	}	.....	.....	No provision made as the Public Works Department does not anticipate any expenditure during the next financial year.
... ...	.....	.....	.....	.....	.....	.....				
... ...	.....	.....	.....	.....	.....	.....				
... ...	.....	.....	.....	.....	.....	.....				
Total ...	1,10,720	1,16,380	34,231	71,801	1,06,032	(a)1,06,690	77,456	1,06,863	1,09,363	(a) Based on the actuals of the 12 months ending November 1908.
osing balance ...	24,159	.....	.....	.....	.....	29,169	.....	23,545	21,045	
Grand Total ...	1,34,879	.....	.....	.....	.....	1,35,159	.....	1,30,408	1,30,408	

[*Dr. Abdullah-ul-Mamun Sahrawardy; Mr. Gourlay; Mr. Saiyid Wasi Ahmed.*]

SUPERVISION OF MUSSALMAN EDUCATION.

The Hon'ble Dr. ABDULLAH-UL-MAMUN SAHRAWARDY asked:—

(*a*) Will the Government be pleased to state whether it intends to give effect to the recommendation of the Hon'ble Mr. Earle, as Director of Public Instruction, that of the existing superior staff, one Muslim officer in each Inspector's circle, either an Assistant Inspector or a selected Deputy Inspector, should be set apart for the supervision of Mussalman education?

(*b*) If so, when?

The Hon'ble MR. GOURLAY replied:—

"It is the intention of Government, gradually and in so far as is consistent with public interests, to give effect to Mr. Earle's proposals.

"Assistant Inspectors have already been appointed in the Patna and Tirhut Circle, the Presidency Circle and the Burdwan Circle. A Deputy Inspector has been appointed in the Bhagalpur Circle; and Sub-Inspectors have been appointed for Chota Nagpur and Orissa.

"The Government is fully alive to the importance of the subject."

The Hon'ble MR. SAIYID WASI AHMAD had given notice of the following questions:—

THE SONTHAL PARGANAS.

(*a*) Has the attention of the Government been drawn to the inconvenience suffered by the people of the Deoghur and Rajmahal Sub-divisions of the Sonthal Parganas, which are mostly inhabited by non-Sonthal people, owing to their being residents of a non-regulation area?

(*b*) Does the Government contemplate to convert that portion of the Sonthal Parganas which is outside the Damin into a Regulation district in the near future?

PLAGUE IN MONGHYR.

(*a*) Has the attention of the Government been drawn to the recrudescence of plague in Monghyr this year?

(*b*) Does the Government, in view of the almost continual recurrence of plague in Monghyr, contemplate taking any steps towards the prevention of future recurrence of the disease?

The Hon'ble Member being absent, the President declared the questions to have been withdrawn.

[*Mr. Wheeler.*]

BUDGET FOR 1910-11.

The Hon'ble Mr. Wheeler presented the Budget of the Government of Bengal for 1910-11.

BUDGET OF THE GOVERNMENT OF BENGAL FOR 1910-11.

Part I.—General Review.

(1) ACCOUNTS FOR 1908-09.

In the revised estimate for 1908-09, which was laid before the Council on the 28th March 1909, the receipts of the year were taken at Rs. 5,58,55,000, and the charges at Rs. 5,71,00,000. The accounts of 1908-09, as finally closed, show that the actual receipts amounted to Rs. 5,59,03,006 and the charges to Rs. 5,72,33,377, while the closing balance was Rs. 58,43,588 against Rs. 58,77,000 anticipated when the last Financial Statement was presented.

(2) REVISED ESTIMATE, 1909-10.

2. The revised estimate for 1909-10, as now passed on the basis of the actuals of the first nine, and in some cases ten, months of the year is compared below with the sanctioned estimate for the year :—

	Sanctioned estimate.	Revised estimate.	Increase (+) or decrease (—).
	Rs.	Rs.	Rs.
Opening Balance ...	58,77,000	58,43,000	—34,000
Revenue receipts ...	5,27,62,000	5,12,43,000	—15,19,000
Adjustments	32,73,000	65,00,000	+32,27,000
Total Receipts ...	5,60,35,000	5,77,43,000	+17,08,000
Grand Total ...	6,19,12,000	6,35,86,000	+16,74,000
Total Expenditure ...	5,69,12,000	5,48,49,000	—20,63,000
Closing Balance ...	50,00,000	87,37,000	+37,37,000

3. The increase under adjustments is due to the additional assignments from Imperial to Provincial detailed below :—

	Rs.
Grant to the Calcutta University, and for distribution to private Colleges	1,60,000
Grant for Archæological expenditure...	5,000
Grant in connection with Captain McCay's deputation to conduct an enquiry into the subject of Jail dietaries ...	13,000
Contribution by the Government of Eastern Bengal and Assam of a moiety of the cost of conducting the Overseer and Sub-Overseer examinations	4,000
Refund of the cost of training in agriculture of Babu Jatindra Nath Chakrabarti, who was deputed to America at the expense of the Government of Bengal, but whose services were subsequently transferred to Eastern Bengal and Assam	8,000
Cost of printing and publishing text-books for the High Proficiency and Degree of Honour examinations in the Tibetan language	2,000
For Capital expenditure on the Madaripur Bhil Route ...	2,000
Special contribution to general provincial revenues ...	30,42,000
	32,36,000
Deduct—	
For retransfer to the Military Department of the management of the gardens at Government House, Calcutta	—8,000
For excess of receipts over charges of the office of the Agent for Government Consignments which has been provincialized (raised from Rs. 15,000 to Rs. 16,000)	—1,000
Total ...	32,27,000

4. The falling off of revenue is the net result of decreases under some heads and increases under others. The improvements aggregate Rs. 9,88,000, and are chiefly under the following heads :—

Land Revenue—(Rs. 3,36,000) due to the increased collection of arrears and larger receipts from the redemption of land revenue and the sale of Government estates.

Provincial Rates—(Rs. 2,19,000) due to the increased collection of arrears and larger collection of cess on coal-mines.

Courts of Law—(Rs. 12,000) under fees and fines.

Police—(Rs. 44,000) due to larger recoveries on account of punitive police.

Ports and Pilotage—(Rs. 19,000) mainly under Pilotage receipts.

Miscellaneous—(Rs. 77,000) on account of the sale-proceeds of the steam-trawler *Golden Crown* and a part of the sale-proceeds of the Jorabagan thana building.

Irrigation Major Works—(Rs. 2,72,000) chiefly owing to larger receipts from water-rates.

The decreases, on the other hand, aggregate Rs. 25,07,000, falling chiefly under the following heads :—

Stamps—(Rs. 4,50,000) chiefly under court-fee stamps and partly also under general stamps ; attributed to stagnation in trade.

Excise—(Rs. 5,75,000). The settlements of shops were very unfavourable, probably owing to the continuance of high prices, and the extension of the contract distillery system in Bihar has so far reduced the revenue.

Assessed Taxes—(Rs. 1,25,000) owing to depression in trade.

Forests—(Rs. 1,50,000) owing to depression in the timber trade.

Registration—(Rs. 1,70,000) owing chiefly to a decrease in the number of registrations effected.

Interest—(Rs 3,78,000) chiefly under loans to cultivators and partly also under loans to land-holders.

Jails—(Rs. 3,55,000) owing to the decrease in the receipts from jail manufactures on account of smaller demands from the Ordnance Department.

Education—(Rs. 1,78,000) owing to no refunds having been received from District Boards out of the grants made to them for primary school buildings, whereas two lakhs were anticipated from this source at the time the budget was framed.

Scientific and other Minor Departments—(Rs. 48,000) owing to smaller receipts from the sale of quinine.

Irrigation—Minor Works and Navigation—(Rs. 49,000) due to a falling off under navigation receipts owing to the cyclone in October 1909, and to slackness in the jute traffic.

5. On the expenditure side the revised estimate shows a total decrease of Rs. 30,15,000, which is mainly accounted for under the following heads :—

Land Revenue—(Rs. 2,90,000) partly under salaries of officers, partly under net charges of Partition establishments, and partly on account of the delay in giving effect to the recommendations of the Ministerial Officers' Salaries Committee. A lump grant of Rs. 50,000 for Additional Deputy Magistrates and Deputy Collectors was also not utilised, and there were savings under survey and settlement and land records.

Interest—(Rs. 71,000) due to the smaller outstanding balances under the Provincial Loans Accounts.

Police—(Rs. 3,72,000) mainly on account of savings in the grants for grain and conveyance allowances, to savings under constables' pay due to vacancies in the force, to the non-entertainment of additional railway police, and to savings under the head of Contingencies.

Ports and Pilotage—(Rs. 96,000) chiefly owing to the postponement of expenditure on the purchase of new boilers for the S. S. *Guide*, and to anticipated savings under Pilotage and Pilot establishments.

Medical—(Rs. 1,81,000) due chiefly to savings under District Medical establishments, and smaller grants for plague preventive measures.

Scientific and other Minor Departments—(Rs. 2,16,000) chiefly under the Agricultural Department, and partly also under Veterinary charges, Botanic and other public gardens, Inspector of Factories, and Gazetteer revision.

Miscellaneous—(Rs. 1,44,000) savings in the grant for donations for charitable purposes, petty establishments, Fishery enquiries, the lump provision for grants to District Funds and other miscellaneous charges.

Famine Relief—(Rs. 6,66,000) owing to the necessity for relief measures having been less than was anticipated.

Civil Works in charge of Civil Officers—(Rs. 8,00,000) on account of transfers to other heads.

On the other hand, there was a total increase in expenditure of Rs. 9,5,2000, the largest items of which are noted below :—

Courts of Law—(Rs. 3,84,000) specially under Law charges in connection with political cases.

Jails—(Rs. 1,00,000) due to the opening of the new Presidency Jail, and an increase in dietary charges owing to an increase in the number of prisoners.

Civil Works in charge of the Public Works Department—(Rs. 3,90,000) owing to additional grants sanctioned during the year to meet urgent requirements.

6. The net result of these changes is that the closing balance of 1909-10, including the sum of 50 lakhs held in trust for the Calcutta Improvement Scheme, which was estimated in March last at Rs. 50,00,000, is now placed at Rs. 87,37,000. The increase is chiefly due to the special subvention of Rs. 30,42,000 given by the Government of India, partly to restore the normal scale of expenditure on Civil Works, and partly to raise the closing balance to the prescribed minimum of 20 lakhs in 1910-11.

(3) BUDGET ESTIMATE, 1910-11.

7. The opening balance of 1910-11 is the closing balance of 1909-10, and is therefore Rs. 87,37,000.

8. The estimates for the year, as approved by the Government of India, show receipts aggregating Rs. 5,58,09,000, an expenditure of Rs. 5,75,46,000, and a closing balance of Rs. 70,00,000. The special grant of 50 lakhs for the Calcutta Improvement Scheme, which is held in trust by Government, is included in the Provincial accounts. It is estimated therefore that, leaving aside this amount, the balance at the close of 1910-11 will be 20 lakhs, which is the prescribed minimum.

9. The estimate of receipts includes the following special assignments from Imperial Revenues:—

	Rs.
For Police re-organization (comprising grants made in previous years aggregating Rs. 14,50,000 and an additional grant of Rs. 3,17,000 with effect from 1910-11)	17,67,000
On account of the Madaripur Bhil Route (maintenance) ...	50,000
Ditto Ditto (capital) ...	1,53,000
In connexion with the scheme of Famine Relief ...	2,60,000
For technical education	35,000
„ European and Eurasian education	65,000
„ abolition of the patwari cess in Sambalpur	26,000
„ continuous maintenance of record-of-rights in Orissa ...	1,18,000
„ temporary occupation of 2, Bankshall Street, by the Commerce and Industry Department	20,000
„ contribution from Eastern Bengal and Assam to the Belgachia Veterinary College	28,000
„ provincialization of the Dhaka Canal charges ...	12,000
„ net charges of Inland Labour Transport in Bengal payable from the provincial revenues of Eastern Bengal and Assam	13,000
„ increased remuneration to the Solicitor to Government ...	36,000
„ stoppage of the free supply of materials by the Central Press, Calcutta to the provincial Presses	2,000
„ transfer of the control of Hastings House gardens to the Superintendent, Royal Botanic Garden	3,000
„ remission of banking fees levied from Local Funds ...	70,000
„ Ditto audit fees ditto	65,000
„ expenditure on cemeteries	4,000
„ transfer of a portion of the cost of the Calcutta Collectorate from Excise, the charges under which are divided equally between Imperial and Provincial, to Land Revenue, the charges under which are wholly Provincial	4,000
„ audit of the Calcutta municipal accounts	11,000
„ grant to the "Bibliotheca Indica Fund" of the Asiatic Society	3,000
„ relieving municipalities of Police charges	21,000
„ Sanitary improvements	4,50,000
„ Grant to Calcutta University and for distribution to private colleges	1,60,000
	33,76,000
Less contribution to Imperial for the pensions of Calcutta Police constables paid in the United Provinces of Agra and Oudh	21,000
Reduction of interest on capital outlay on Irrigation—Major Works	3,45,000
Contribution to Imperial for net receipts from the office of the Agent, Government Consignments, Calcutta, provincialized with effect from the 1st April 1909 ...	16,000
„ Recovery of contribution from Provincial, in connection with the new scheme of taxation, under Stamps and Excise	3,69,000
	7,51,000

	Rs.
Net total (which does not include the fixed adjustment grant of Rs. 7,39,000 made under the current Provincial Settlement, including which the total comes to Rs. 33,64,000, as shown in the budget under the head "I—Land Revenue—Adjustments.")	26,25,000

10. On the expenditure side, the total estimated charges for 1910-11 are Rs 5,75,46,000, which is in excess of the income by Rs. 17,37,000.

11. A schedule is attached showing the new schemes costing individually more than Rs. 5,000 which have been included in the budget. The non-recurring charges on account of these schemes amount to Rs. 7,61,812, and the recurring charges to Rs. 15,00,736. Besides these, the budget includes the following new schemes of a more or less petty nature which are individually estimated to cost Rs. 5,000 or less:—

(*a*) NON-RECURRING CHARGES.

	Rs.	Rs.
Forests—		
Acquisition of land in and along the Satikhola landslips in Darjeeling for afforestation	4,000	
Construction of a rest-house near the Ghish river, in the Tista Division	2,500	
Completion of the Forest School building, Kurseong ...	5,000	
Part construction of a house for the Divisional Forest officer, Chaibassa	3,000	
Construction of a new Forest office, Sambalpur ...	4,200	
Purchase of a new steam-cutter for use in the Sunderbans	4,000	
Building quarters for clerks at Khulna	3,000	
		25,700
General Administration—		
Temporary establishment in the Bengali Translator's office for the translation of Acts and Bills for the Government of India	.....	3,300
Courts of Law—		
Temporary establishment for sorting the judicial records of the High Court	3,500	
Purchase of an iron safe for the Judge's office, Burdwan	1,200	
		4,700
Jails—		
Purchase of arms for an increased number of warders...	.....	1,200
Police—		
Special allowances for the special Detective force ...	1,980	
Temporary boat establishment	3,000	
Cost of 100 revolvers for the District Police ...	5,000	
		9,980
Ports and Pilotage—		
Repairs to Leadsmen's quarters	.....	2,000
Education—		
Temporary establishment in the office of the Director of Public Instruction	1,620	
Purchase of a dynamo and gas engine for the Hooghly College	790	
Grant for the Library of the Law College, Patna ...	5,000	
For supplying copies of the Teachers Manual to Deputy, Sub-Deputy and Assistant Sub-Inspectors ...	1,500	
For the preparation of a Manual for *maktabs*, and the translation of text-books into the aboriginal vernaculars	2,000	
		10,910

	Rs.	Rs.
Political—		
Purchase of an elephant for the Political Agent, Orissa Feudatory States	.....	2,500
Scientific and other Minor Departments—		
Revision of the Inland Emigration Manual ...	.....	1,500
Civil Works in charge of Civil Officers—		
For the acquisition of land for the extension of Seal's Lane in the Howrah Municipality	4,000	
Purchase of a boat for the Chuadanga ferry ...	1,600	
		5,600
Total		67,390

(*b*) Recurring Charges.

Land Revenue—		
Allowances to shorthand typists for seven District Magistrates and Collectors in addition to one provided in 1909-10	3,360	
Additional clerks for kanungos in the Sonthal Parganas	1,920	
Peons for Sub-Deputy Collectors	1,422	
		6,702
Assessed Taxes—		
Provision for raising the pay of Assessors' clerks ...	... ..	3,900
Forests—		
Reorganization of the office establishment of the Conservator	5,000	
Establishment for two flats and a new steam-cutter for the Sundarbans	3,000	
		8,000
Registration—		
Appointment of two additional Sub-Registrars ...	3,000	
Revision of the establishment of the office of the Inspector-General of Registration...	3,000	
Extra and Probationary Sub-Registrars	840	
		6,840
General Administration—		
Increase in the Customs Audit establishment ...	2,004	
Personal allowance of the Uriya Translator ...	600	
		2,604
Courts of Law—		
House allowance to the clerk of the Chief Justice ...	1,505	
Personal allowance of the Deputy Registrar, Appellate Side	1,800	
Increase of pay of the Legal Remembrancer's establishment	1,680	
House allowances to the Officiating Chief Presidency Magistrate and the 2nd Presidency Magistrate ...	1,830	
Increase of pay of the head orderlies of District Judges	600	
Pay of an additional record-keeper, and increments of pay of certain Assistants, in the Calcutta Small Causes Court	800	
Additional chaukidari clerks in the districts of Nadia, Jessore, Midnapore, Purnea and Gaya	6,000	
		14,215
Jails—		
Revision of the establishment of the Inspector-General's office	2,000	
Clerical establishments in Central Jails	2,880	
Additional warders in the Juvenile Jail	2,136	
Revision of Factory establishments	4,514	
		11,530
Police—		
Regrading of Calcutta Police Inspectors	1,800	
Increase of the pay of European Sergeants and Constables	4,780	
Rewards to chaukidars in Sambalpur	5,000	
		11,580

	Rs.	Rs.
Ports and Pilotage—		
House allowances of the Shipping Master, Calcutta, and the Shipping Master, Kidderpore	2,460	
House allowance of the Surveyor and Assistant Surveyor	4,305	
Conveyance allowance of the Inspectors and Sub-Inspectors subordinate to the Agent for Government Consignments	960	
		7,725
Education—		
House allowance of an Inspecting Officer, Calcutta ...	1,500	
Charges to be incurred by Inspectors for printing work done at private presses	3,300	
Personal allowance to the Inspectress of Schools, Presidency, Burdwan and Orissa Divisions ...	1,200	
Clerks for the Additional Inspectors of Schools ...	3,600	
Two Professors of the Presidency College ...	3,600	
Personal allowance of the Foreman Instructor, Civil Engineering College	1,380	
Scholarships in connection with the Title course in the Calcutta Madrasa, etc.	2,160	
Increase of scholarships for Cuttack B. L. students ...	2,160	
Allowance to the Secretary to the Advisory Committee for Indian Students	2,400	
		21,300
Medical—		
Provision for the revision of the Inspector-General's office establishment	2,000	
House-rent allowance of Medical Assistants ...	4,000	
One Assistant House Surgeon, Medical College ...	600	
Ditto for Electrical Annexe	600	
Dispenser, compounder and servants for the Chuni Lall Seal's Dispensary	1,092	
Medical stores for the Chuni Lall Seal's Dispensary ...	3,000	
Contingencies ditto ditto ...	3,729	
Personal allowance of the Assistant Superintendent, General Hospital	1,200	
Inspector of Septic Tank Installations	4,800	
Additional Vaccine Inspector and Sub-Inspector ...	1,260	
		22,281
Scientific and other Minor Departments—		
Accountant, chauffeur, etc., for the Superintendent, Civil Veterinary Department	1,452	
Riding-master, Curator and other additional establishment under Veterinary Instructors	2,196	
Allowance to Veterinary Assistants for *post*-graduate training	910	
Additional Veterinary Inspectors	1,080	
Professor and Assistant Professor for the Agricultural College	4,800	
Hostel for the Agricultural College	4,640	
Increase of pay of the Assistant Quinologist and of the Personal Assistant to the Superintendent of the Cinchona Factory	1,680	
		16,758
Stationery and Printing—		
Increase in the Reading staff of the Secretariat Press		4,000
Total ...		1,37,435

12. Appendix C shows the transactions of District Boards and District Road Committees, the figures in the column of estimates representing the sums passed by the Commissioners of Divisions. This statement does not form any part of the Provincial Budget, but is annexed thereto for convenience of reference.

PART II.—Detailed remarks on the Budget for 1910-11.

RECEIPTS.

13. *Land Revenue.*—The total collections under this head in 1908-09 amounted to Rs. 2,92,73,443 and the estimate for 1910-11, as provisionally passed by the Government of India, is Rs. 3,02,92,000, against Rs. 3,04,63,000 the revised estimate for 1909-10. The estimate includes Rs. 11,55,000 for

recoveries of Survey and Settlement charges, against Rs. 9,60,000 provided for in the revised estimate for 1909-10.

14. The estimated Provincial share of Land Revenue is calculated as follows :—

	Estimate, 1910-11.
	Rs.
Gross Land Revenue	3,02,92,000
Deduct estimated collections from Government Estates (wholly Provincial)	34,67,000
Deduct recoveries of Survey and Settlement charges (wholly Imperial)	11,55,000
Total Deductions ...	46,22,000
Net amount divisible between Imperial and Provincial funds	2,56,70,000
Provincial share (one-half)	1,28,35,000
Add collections from Government Estates (wholly Provincial)	34,67,000
Total Provincial ...	1,63,02,000
Add adjustments as in Appendix A	33,64,000
Total Provincial Receipts ...	1,96,66,000

15. *Stamps.*—The budget estimate of the total revenue from Stamps for 1909-10 was passed by the Government of India at Rs. 1,65,00,000. The actuals in 1908-09 amounted to Rs. 1,55,99,838. The actuals of the first ten months of 1909-10, exclusive of receipts on account of unified stamps used as receipt stamps, show a small decrease of Rs. 2,000 as compared with the figures for the corresponding period of the preceding year. In view of the actuals for 1908-09, the revised estimate for 1909-10 has been reduced from Rs. 1,65,00,000 to Rs. 1,56,00,000. The estimate for 1910-11, which has been placed at Rs. 1,67,86,000, allows for a progressive increase of five lakhs, and includes Rs. 6,86,000 being the expected proceeds of the new scheme of taxation sanctioned by the Government of India by the enhancement of the present duties levied on debentures, share warrants to bearer, transfers of shares and debentures, agreements or memoranda of agreements relating to the sale of shares and securities, bills of exchange and probate. The Provincial share is one-half, and thus amounts to Rs. 78,00,000 for 1909-10 and Rs. 83,93,000 for 1910-11.

16. *Excise.*—The revenue from Excise for 1909-10 was estimated at Rs. 1,79,00,000. The actuals of 1908-09 amounted to Rs. 1,70,01,004, while the figures for the first ten months of 1909-10 show a decrease of Rs. 2,61,000 as compared with the actuals of the corresponding period of the preceding year. The decrease in 1909-10 is due to the introduction of the contract distillery system in certain districts of Bihar and to the unfavourable result of the settlements of shops. The revised estimate for the year has therefore been passed for Rs. 1,67,50,000 ; and allowing for a progressive increase of two and half lakhs and for the expected proceeds from the new scheme of taxation, increasing the tariff rates on beer and spirits, amounting to Rs. 52,000, the estimate for 1910-11 has been placed at Rs. 1,70,52,000. The Provincial share (one-half) amounts to Rs. 83,75,000 and Rs. 85,26,000, respectively.

17. *Provincial Rates.*—The actual collections of Public Works Cess in 1908-09 amounted to Rs. 36,60,066, and the estimate for 1909-10 was Rs. 36,53,000. The receipts in the first nine months of 1909-10, however, show an increase of Rs. 1,91,000 over those of the corresponding period of the previous year. The annual valuation of existing mines and the first assessment of new mines which were opened in consequence of the development of the coal industry, together with the completion of valuation operations in the Santhal Parganas, raised the total demand for Public Works Cess for 1908-09 by about Rs. 1,36,000, but the collections in that year were not in proportion to the demand. The arrears are being collected in 1909-10, and the revised estimate for the year has accordingly been placed at Rs. 38,70,000. A reduction in the annual profits of coal mines is anticipated, and there will be smaller arrears to be collected in 1910-11; the estimate for that year

has therefore been placed at Rs. 37,90,000. Under "General Rates for the management of Private Estates" the estimate is Rs. 1,85,000, against Rs. 1,63,000, the sanctioned estimate for 1909-10. The increase is due to the levy of higher rates to meet the cost of the Lady Legal Adviser to *parda nashin* ladies, and her establishment, etc. The total estimate for 1910-11 is therefore Rs. (37,90,000+1,85,000=) 39,75,000.

18. *Assessed Taxes.*—The budget estimate of receipts from Income-tax for 1909-10 was Rs. 58,00,000. The actual collections in the first ten months of the year amounted to Rs. 44,58,000. For the remaining two months of the year the receipts have been taken at Rs. 10,92,000, and the revised estimate has been placed at Rs. 55,50,000. The estimate for 1910-11 allows for an increase of Rs. 3,50,000, and stands at Rs. 59,00,000. The Provincial share (one-half) amounts to Rs. 29,50,000.

19. *Forests.*—The total receipts under this head for 1910-11 are estimated at Rs. 11,00,000, against Rs. 10,00,000 the revised estimate for 1909-10, and Rs. 11,84,846 the actuals of 1908-09. The Provincial share is one-half, and amounts to Rs. 5,50,000.

20. *Registration.*—The budget estimate under this head for 1909-10 was Rs. 15,50,000. The collections during the first ten months of 1909-10 show a decrease of Rs. 46,000 as compared with those of the corresponding period of the preceding year, and as the actuals of 1908-09 were Rs. 14,26,043, the revised estimate has been reduced to Rs. 13,80,000, while the estimate for 1910-11 has been passed for Rs. 14,87,000 after providing for a normal increase of Rs. 1,07,000 over the revised estimate for 1909-10. The decrease in 1909-10 is attributed to the smaller number of registrations effected. The receipts of this department are wholly Provincial.

21. *Interest.*—The estimate of loans, as submitted to the Government of India, provides for a return in the way of interest during 1910-11 of Rs. 8,53,000, as shown below:—

	Rs.
Interest on advances to cultivators, etc.	4,26,000
„ „ drainage and embankment advances	27,000
„ „ loans to land-holders	1,73,000
„ „ „ to Municipalities and District Boards, etc. ...	1,84,000
Miscellaneous	43,000
Total ...	8,53,000

22. *Law and Justice—Courts of Law.*—The actuals in 1908-09 amounted to Rs. 6,39,469, and the receipts in the first nine months of 1909-10 show a decrease of Rs. 30,000 as compared with those of the corresponding period of the previous year. In view of the actuals for 1908-09, the revised estimate for 1909-10 has been placed at Rs. 6,12,000, against Rs. 6,00,000 originally passed. The estimate for 1910-11 has been passed for Rs. 6,24,000.

23. *Jails.*—The actuals for the nine months ending the 31st December 1909 show a decrease of Rs. 25,000 as compared with the previous year, and a further decrease is anticipated. The actuals of 1908-09 were Rs. 9,21,281, and the revised estimate for 1909-10 has been reduced to Rs. 8,13,000. The estimate for 1910-11 has been passed for Rs. 9,64,000.

24. *Police.*—The actuals of the nine months ending the 31st December 1909 show an increase of Rs. 38,000 over those of the corresponding period of the previous year, and as the actuals of 1908-09 were Rs. 1,80,904, the revised estimate for 1909-10 has been placed at Rs. 1,89,000. The estimate for 1910-11 is Rs. 1,67,000, as smaller recoveries are anticipated on account of punitive police.

25. *Ports and Pilotage.*—The budget estimate for 1909-10 was Rs. 15,31,000. This has been raised to Rs. 15,50,000 in the revised estimate, with reference to the actuals of the first nine months of 1909-10. The estimate for 1910-11 is Rs. 15,48,000.

26. *Education.*—The actuals in 1908-09 amounted to Rs. 7,18,358 and included more than 1½ lakhs, being the refunds made by District Boards of the amounts placed at their disposal in the previous years for the construction of primary school buildings. As further refunds amounting to two lakhs were expected in 1909-10, the budget for the year was passed for Rs. 7,75,000. The actual collections of the first nine months, however, show that nothing

has been thus refunded by District Boards. The revised estimate has accordingly been reduced to Rs. 5,97,000, while the estimate for 1910-11 has been placed at Rs. 6,00,000.

27. *Medical.*—The budget estimate for 1909-10 was Rs. 2,90,000, against Rs. 2,81,855 the actuals of 1908-09. The actual receipts during the first nine months of 1909-10 do not show any marked improvement over those of the corresponding period of the previous year, and the revised estimate for 1909-10 has been placed at Rs. 2,84,000. The increase anticipated in 1909-10 under "Hospital receipts" has not been realized. The estimate for 1910-11 has been placed at Rs. 2,98,000, in view of the increased contributions promised by the Calcutta Corporation to the Campbell and Sambhu Nath Pandit Hospitals.

28. *Scientific and Other Minor Departments.*—The estimate for 1909-10 was Rs. 3,31,000, against Rs. 2,86,008 the actuals of 1908-09. The Superintendent, Cinchona Plantation, anticipated larger sales of sulphate of quinine in 1909-10, but the actual receipts in the first nine months of the year show a falling off of Rs. 23,000 as compared with those of the corresponding period of the previous year. The revised estimate for 1909-10 has therefore been placed at Rs. 2,83,000. As an increase is expected from the sale of quinine in 1910-11, and as the Director of Agriculture also anticipates an increase in the receipts from experimental farms, the estimate for that year has been passed for Rs. 3,87,000.

29. *Receipts in aid of Superannuation.*—The budget estimate for 1910-11 is Rs. 61,000, against Rs. 64,000 the revised estimate for 1909-10, and Rs. 59,540 the actuals of 1908-09.

30. *Stationery and Printing.*—The estimate under this head for 1910-11 is Rs. 1,34,000, against Rs. 1,25,000 the revised estimate for 1909-10, and Rs. 1,29,070 the actuals of 1908-09. The estimate includes increased provision for work done for local and private bodies and miscellaneous receipts.

31. *Miscellaneous.*—The receipts for 1909-10 were estimated at Rs. 5,83,000, against Rs. 6,34,688 the actuals of 1908-09. In the revised estimate this has been raised to Rs. 6,60,000, including Rs. 60,000 being part of the sale-proceeds of the Jorabagan thana, and Rs. 40,000 being the sale-proceeds of the steam-trawler *Golden Crown* belonging to the Fishery Department. For 1910-11 the estimate has been placed at Rs. 7,42,000, including the balance of the anticipated sale-proceeds of the Jorabagan thana and Rs. 40,000, the sale-proceeds of the present Garden Reach thana buildings and land.

32. *Irrigation—Major Works (Direct Receipts).*—The budget estimate for 1909-10 is Rs. 24,36,000, which has been raised to Rs. 27,08,000 in the revised estimate, owing to an increase in the area irrigated. The estimate for 1910-11 has been passed for Rs. 25,92,000.

33. *Irrigation—Minor Works and Navigation in charge of the Public Works Department.*—The budget estimate for 1909-10 was Rs. 6,33,000, but in view of the collections in the first eight months of 1909-10, amounting to Rs. 3,49,000, as compared with Rs. 3,44,000 in the corresponding period of the previous year, the revised estimate has been reduced to Rs. 5,81,000, against Rs. 5,79,308 the actuals of 1908-09. The decrease is chiefly in navigation receipts from the Orissa and Calcutta canals, owing to the cyclone of October 1909, and also in the receipts from the Nadia rivers. The estimate for 1910-11 is Rs. 6,50,000, an increase being expected owing to the opening of the Ultadanga-Bamanghata Canal.

34. *Civil Works in charge of the Public Works Department.*—The budget estimate for 1909-10 was Rs. 3,55,000, against Rs. 3,48,202 the actuals of 1908-09. No improvement is now anticipated under this head in 1909-10, and the budget has been repeated in the revised estimate for 1909-10. The same amount has been taken as the estimate for 1910-11.

Expenditure.

35. *Refunds and Drawbacks.*—The total Provincial expenditure in 1910-11 is estimated at Rs. 1,35,000, against Rs. 1,34,000 the budget estimate for 1909-10, and Rs. 1,31,332 the actuals of 1908-09. The estimates under this

head are based, as usual, on the average actuals of the previous three years excluding special payments.

36. *Assignments and Compensation.*—The budget estimate for 1909-10 was Rs. 70,000, and this has been repeated as the estimate for 1910-11. The revised estimate has, however, been placed at Rs. 66,000 with reference to the actuals of the first nine months of 1909-10.

37. *Land Revenue.*—The total Provincial expenditure for 1910-11 is estimated at Rs. 39,86,000, against Rs. 37,10,000, the revised, and Rs. 40,00,000 the budget estimate, for 1909-10, as shown below:—

	1909-10. Budget.	1909-10. Revised.	1910-11. Budget.
	Rs.	Rs.	Rs.
(1) Charges of District Administration	30,00,000	27,40,000	29,77,000
(2) Charges on account of Land Revenue collections ...	4,000	2,000	4,000
(3) Management of Government estates	3,57,000	3,45,000	4,29,000
(4) Survey and Settlement ...	2,58,000	2,45,000	1,60,000
(5) Land Records and Agriculture	4,41,000	3,78,000	4,86,000
	40,60,000		40,56,000
Lump reduction ...	60,000		70,000
Total ...	40,00,000	37,10,000	39,86,000

Under (1) a lump provision of Rs. 34,400 has been made for an increase in the number of Deputy Magistrates and Deputy Collectors, in order to meet the demands of the Settlement Department.. A lump provision of Rs. 33,600 has also been made for the appointment of eight new Joint-Magistrates by promotion of Assistant Magistrates. The budget also includes Rs. 1,50,000 for the improvement of the prospects of ministerial officers, in accordance with the recommendations of the Ministerial Officers' Salaries Committee to which effect will be given from the 23rd May 1909, the date upon which the orders of the Secretary of State sanctioning the proposals were received in India. Under (3) a special provision of Rs. 40,000 has been made, in order to take up certain works of improvement in Government estates which are urgently required, and which cannot be financed from the Improvement grant as ordinarily calculated. A separate provision of Rs. 17,000 has also been entered for the management of the Hiranpore Market in the Sonthal Parganas, the accounts of which have hitherto been kept out of the provincial account. Under (5) Rs. 2,93,000 have been provided for initial expenditure in bringing the survey and settlement records in Orissa up to date, Rs. 88,000 for the revision of the record-of-rights in Orissa, Rs. 19,627 for the reproduction of maps, and Rs. 36,000 for the maintenance of records in Sambalpur.

38. *Stamps.*—The sanctioned estimate for 1909-10 was Rs. 5,05,000, but in the revised estimate this has been reduced to Rs. 4,70,000, owing chiefly to the smaller supply of stamp paper from the Central stores, consequent on the decrease in the sale of stamps, and smaller payments of discount on the sale of stamps. The budget for 1910-11 is Rs. 5,04,000, and closely follows the grant for the current year.

39. *Excise.*—The total expenditure for 1910-11 is estimated at Rs. 8,83,000, against Rs. 8,30,000 the budget grant for 1909-10. The increase is due to a lump provision of Rs. 32,000 for temporary establishment in connection with the introduction of the contract distillery system in the districts of the Patna and Tirhut Divisions; to a larger provision for travelling allowances which is incidental to the employment of larger establishments; and to larger grants under "Petty construction and repairs" in order to meet the cost of erecting warehouses in the Patna and Tirhut Divisions. The budget also includes provision for the Bengal share of the pay of a joint distillery expert for Bengal and Eastern Bengal and Assam.

The Provincial share (one-half) of the total expenditure is Rs. 4,42,000.

40. *Provincial Rates.*—The estimate for 1910-11 is Rs. 64,000, against Rs. 50,000, the sanctioned estimate for 1909-10, and Rs. 41,429 the actuals of 1908-09. The increase in the estimate is chiefly under "Collection charges," owing to a provision of Rs. 48,000 for the improvement of the prospects of ministerial officers. One-third of this charge is debitable to Provincial revenues, and two-thirds to District Funds. A small additional provision has also been made for the revaluation of certain *chakran* and *ghatwali* lands in Birbhum and other districts.

41. *Assessed Taxes.*—The estimate for 1910-11 is Rs. 1,63,000 against Rs. 1,64,000 the budget grant for 1909-10, and Rs. 1,60,003 the actuals of 1908-09. The decrease is due to the omission of provision for the revision of the establishment of the Calcutta Collectorate, which was entered in the budget for 1909-10. The Provincial share (one-half) of the total expenditure is Rs. 82,000.

42. *Forests.*—The total expenditure for 1910-11 is estimated at Rs. 6,65,000, against Rs. 5,87,000 the budget estimate for 1909-10, and Rs. 5,83,981 the actuals of 1908-09. The increase is chiefly due to the following causes:—

	Rs.
Acquisition of land in and along the Satikhola landslip, in the Darjeeling Division.	4,000
Payment to the Raja of Porahat, in the Singbhum Division, on account of profits of the Porahat Forest	20,000
Completion of Forest buildings in Kurseong	5,000
Part construction or purchase of a house for the Divisional Forest Officer, Chaibassa	3,000
Construction of a rest-house near the Ghish River, in the Tista Division	2,500
Construction of a new Forest office in the Sambalpur Division ...	4,200
Purchase of a new steam-cutter for the Sunderbans Division ...	4,000
Establishment for additional flats for the Sunderbans ...	2,000
Construction of quarters for clerks at Khulna	3,000
Reorganization of the clerical staff of the Conservator's office ...	5,000

43. *Registration.*—The estimate for 1910-11 is Rs. 8,13,000, against Rs. 8,24,000, the budget grant for 1909-10, and Rs. 8,14,977, the actuals of 1908-09. The budget for 1909-10 included a provision of Rs. 20,540 for the increase of the pay of ministerial officers. No definite proposals for the revision of salaries have been received, and no provision has been made on this account in the budget for 1910-11. On the other hand, provision has been made for a larger number of Sub-Registrars, and grants for temporary establishments and rent of offices for Sub-Registrars have been raised with reference to probable requirements.

44. *Interest on ordinary Debt.*—This is interest payable from the Provincial revenues to the Imperial Government on the amount advanced by the latter to the Provincial Government for loans to cultivators under the Agriculturists' Loans and Land Improvements Loans Acts, for advances to Co-operative Credit Socities, for advances on drainage and embankment schemes, for loans to notabilities and to municipalities and other public Corporations (excluding Presidency Corporations).

45. *General Administration.*—The estimate for 1910-11 has been passed for Rs. 21,02,000, and includes the following provisions:—

	Rs.
Additional establishment required in connection with the expansion of the Legislative Council	12,000
Additional grant for travelling allowances of non-official Members of Council	4,000
Salaries, establishment and contingencies of the Members of the Executive Council	2,00,000
Re-organization of the Chief Secretary's office	14,703
Ditto ditto Judicial Secretary's office	9,105
Ditto ditto Financial Secretary's office	8,946
Temporary establishment in the record-room of the Secretariat for copying correspondence for the Secretary of State ...	6,144
Temporary establishment in ditto for arranging and destroying old records	16,176

	Rs.
Personal allowance of the Uriya Translator	600
Temporary establishment in the Bengali Translator's office for the translation of Acts and Bills for the Government of India	3,300
Increased grant for the revision of the Customs Audit establishment	2,004

On the other hand, savings are anticipated in the salaries of the Hon'ble Members of the Board of Revenue to the extent of Rs. 50,000.

46. *Law and Justice—Courts of Law.*—The total charges for 1909-10 were originally estimated at Rs. 79,20,000, but in the revised estimate this has been raised to Rs. 83,04,000 with reference to the actuals of the first nine months of the year. The increase is large, and is chiefly due to heavy unforeseen law charges consequent upon the outbreak of political crime. The estimate for 1910-11 is Rs. 82,43,000. It includes provision for—(*a*) the revision of the establishment of the Insolvency Court, Rs. 24,820; (*b*) temporary establishment for an additional Judge of the High Court, Rs. 5,500; (*c*) the appointment of a Lady Legal Adviser to *parda-nashin* ladies, under the Court of Wards, Rs. 16,320; (*d*) the appointment of a new District Judge for Sambalpur and his establishment, etc., Rs. 52,000; (*e*) purchase of fire-extinguishing appliances for Civil Courts, Rs. 10,000; (*f*) improvement of prospects of ministerial officers in Civil and Criminal Courts, Rs. 2,00,000 for 1910-11 and Rs. 1,00,000 for the payment of arrears not drawn in 1909-10; (*g*) fees for the defence of paupers accused of murder, Rs. 5,000; and (*h*) temporary establishment for sorting the judicial records of the High Court, Rs. 3,500.

47. *Jails.*—The estimate for 1909-10 was Rs. 27,00,000, against Rs. 27,70,423 the actuals of 1908-09. The actuals of the first nine months of 1909-10 show an increase of Rs. 27,000 as compared with the figures of previous year under "Jails proper," and the total revised estimate for the year has accordingly been raised to Rs. 28,00,000. The increase is chiefly due to the opening of the new Presidency Jail, for which an additional grant of Rs. 69,000 was required, and also to the incidental charges connected with the packing and distributing of pice-packets of quinine, the demand for which has greatly increased. The estimate for 1910-11 is Rs. 28,71,000, and includes provision—(*a*) for the reorganization of the Jailor's Service sanctioned by the Government of India at a cost of Rs. 16,536; (*b*) for the appointment of clerks to assist Medical Officers in charge of subsidiary jails at a cost of Rs. 9,300; (*c*) for the appointment of circle reserve warders at a cost of Rs. 5,424; (*d*) for establishment and other charges in connection with the new Presidency Jail, which are estimated at Rs. 1,39,486; (*e*) for revision of the office establishment of the Inspector-General of Prisons, Rs. 2,000; (*f*) for the revision of factory establishments, Rs. 4,514; and (*g*) for the employment of two clerks in the Presidency Jail and six clerks in Central Jails, Rs. 3,840.

48. *Police.*—The following table compares the figures under this head:—

HEADS.	Actuals, 1908-09.	1909-10.		Estimate, 1910-11.
		Budget.	Revised.	
	Rs.	Rs.	Rs.	Rs.
(1) Presidency Police ...	12,26,772	12,33,000	12,84,000	13,22,000
(2) Municipal „ ...	7,410	.....	.....	.....
(3) Superintendence ...	3,08,908	2,28,000	2,45,000	2,26,000
(4) Criminal Investigation Department	1,73,604	1,92,000	2,53,000	3,19,000
(5) District Executive Force ...	59,56,768	63,34,000	58,71,000	62,22,000
(6) Village Police	45,073	47,000	43,000	45,000
(7) Special „	68,641	70,000	68,000	70,000
(8) Railway „	2,36,000	2,72,000	2,39,000	2,68,000
(9) Cattle-pounds	1,316	1,000	1,000	1,200
(10) Refunds	1,382	1,000	2,000	1,800
Total ...	80,25,874	83,78,000	80,06,000	84,75,000

In connection with the budget for 1910-11, the Government of India have made an assignment of Rs. 3,17,000 representing the balance of the provincial share of the special grants for the purpose of giving effect to the reforms recommended by the Police Commission, and from this sum the following expenditure is proposed during 1910-11 :—

	Rs.
District Police—	
Promotion of Deputy Superintendents—	
2 from Rs. 300 to Rs. 400 ... ... } 4 „ „ 250 „ „ 300 ... ... }	4,800
Recruitment of two armed inspectors for Jessore and Angul at Rs. 150 for nine months	2,700
Recruitment of 30 sub-inspectors to increase the *cadre* at Rs. 50 for nine months	13,500
Conveyance allowance of—	
2 inspectors at Rs. 15 ... } 30 sub-inspectors „ „ 15 ... } for nine months ...	4,320
Grant of an increment of a rupee to 9,850 constables for nine months	88,650
Provision for a new launch	58,500
Cost of quarters for 30 sub-inspectors at Rs. 1,100 ...	33,000
Contingencies	3,390
Presidency Police—	
Improvement of the beat system in Calcutta. (This system has already been partially introduced, and it is proposed to extend it)	34,640
Total ...	2,43,500

Provision has also been made in the budget for—

Reorganisation of the Criminal Investigation Department No. II	1,36,000
The appointment of two Additional Deputy Commissioners for Calcutta	21,000
Appointment of six Assistant Superintendents	21,600
House rent of sub-inspectors till quarters are provided for them	40,000
For the management of the Doranda Cantonment lands ...	6,000
For house rent of married European sergeants and constables of the Calcutta Police	10,000
Increased grant for petty construction and repairs under District Police	50,000
Total ...	2,84,600

49. *Ports and Pilotage.*—The budget estimate under this head for 1909-10 stood originally at Rs. 12,44,000, but in the revised estimate this has been reduced to Rs. 11,48,000 with reference to the actuals of the first nine months of the year. The decrease is chiefly due to the postponement of the purchase of new boilers for the S.S. *Guide*, and to smaller expenditure on pilots. The estimate for 1910-11 has been placed at Rs. 12,93,000, and includes a provision of Rs. 57,000 for the purchase of two boilers for the S.S. *Guide*, a larger allotment for the repairs of Pilot vessels, made on the advice of the Dockyard authorities, larger provision for pilotage allowances to Pilots in anticipation of increased shipping, provision for the house allowances of the Deputy Shipping Master, Calcutta, the Assistant Shipping Master, Kidderpore, and the Surveyor and Assistant Surveyors of steam vessels, Calcutta, and for repairs to leadsmen's quarters.

50. *Education.*—The following table shows the charges under this head since the year 1906-07 :—

[The figures are in thousands.]

HEADS.	ACCOUNTS.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Budget.	Revised.	Budget.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Direction	1,21	1,23	1,14	1,12	1,12	1.17
University	81	93	98	4	84	84
Inspection	4,65	6,27	7,70	7,18	7,78	8,33
Government Colleges, General ...	5,89	6,35	6,33	6,45	5,50	6,82
Ditto, Professional	2,78	3,36	3,90	4,13	4,05	3,84
Government Schools, General ...	5,93	6,01	12,25*	12,89*	12,70*	13,41*
Ditto, Special ...	3,97	5,47	8,93	10,01	8,66	9,62
Grants-in-aid	10,61	13,36	11,18	11,00	11,73	11,80
Scholarships	1,55	1,71	1,86	1,85	2,08	2,00
Miscellaneous	1,07	83	99	1,04	1,02	1,31
Refunds	4	3	3	3	2	3
				55,74		
Lump deduction for probable savings	.....	.....	.....	17	.....	.....
Total ...	38,51	45,55	55,29	55,57	55,50	59,17

* Includes contributions to District Funds to establish equilibrium, previously shown under the head (since abolished) "Contributions from Provincial to Local."

The budget for 1910-11 includes the following items of expenditure :—

	Rs.
Strengthening the staff of Professors of Arts Colleges (additional)	42,000
Inspector of Technical Schools and Industries	17,000
Regrading the sub-inspectors transferred from District Boards to the Provincial Service	17,880
Preparation and translation and editing of the Senior Teachers' Manual	15,800
Preparation and translation of science text-books ...	9,200
Printing charges to be incurred by Inspectors for work done in private presses	3,300

51. *Medical.*—The budget grant under this head for 1909-10 was Rs. 25,20,000. This has been reduced to Rs. 23,39,000 in the revised estimate, with reference to the actuals of the first nine months of 1909-10. The saving is chiefly under "Medical Establishment" and was due to the non-utilization of the provision for the improvement of the pay of Civil Medical Assistants, to changes in the *personnel*, and to savings under "Reserve Medical subordinates"; the grants for plague preventive measures were also smaller than in the preceding year, and the provision for the improvement of the Sanitary Department was not expended, since no scheme has, as yet, been sanctioned. The estimate for 1910-11 has been passed for Rs. 25,16,000. It includes Rs. 5,000 for anti-malarial measures, Rs. 41,000 for the improvement of the pay of Assistant Surgeons, Rs. 32,520 for the improvement of the pay of Civil Medical Assistants, Rs. 4,800 for an Inspector of Septic Tank Installations, Rs. 2,000 for an enquiry in connection with Beri-beri which is now in progress, Rs. 6,000 for a Professor of Anatomy in the Medical College, Rs. 18,000 for the establishment and Rs. 50,675 for equipment required for the new Surgical Block at the Medical College Hospital, and Rs. 7,821 on account of the inclusion for the first time of the charges of the Chuni Lall Seal's Outdoor Dispensary in the Provincial account. Rupees 12,000 have been provided for contributions towards the construction of dispensary buildings at Rajmahal and Asansol.

52. *Political.*—The estimate for 1910-11 is Rs. 55,000, against Rs. 56,000 the budget estimate for 1909-10, and Rs. 52,404 the actuals of 1908-09. The figures call for no special remarks.

53. *Scientific and other Minor Departments.*—The estimate for 1910-11 is Rs. 14,32,000, against Rs. 14,05,000 the budget grant for 1909-10. Provision has been made in the budget for the following charges:—

	Rs.
Larger grants to Veterinary Dispensaries	7,000
Fittings of the Agricultural College at Sabaur	25,000
For purchase of cinchona bark	2,00,000
For a new pumping engine and boiler for the Royal Botanic Garden, Calcutta	5,600

54. *Superannuation.*—The charges under this head tend to rise year after year, owing to the increase in the number of claims to pension. The estimate for 1910-11 is Rs. 28,11,000, against Rs. 27,20,000 the revised estimate for 1909-10, and Rs. 26,27,146 the actuals of 1908-09.

55. *Stationery and Printing.*—The estimate for 1910-11 is Rs. 14,16,000, against Rs. 13,30,000 the revised estimate for 1909-10, and Rs. 13,35,983 the actuals of 1908-09. The following table compares the figures:—

Heads.	Actuals, 1908-09.	Revised estimate, 1909-10.	Budget estimate, 1910-11.
	Rs.	Rs.	Rs.
Stationery Office at the Presidency ...	57,771	51,000	59,000
Stationery purchased in this country ...	33,646	33,000	34,000
Government Presses	5,71,336	5,70,000	6,47,500
Printing at private Presses	931	21,000	21,000
Stationery supplied from Central Stores ...	6,71,520	6,54,000	6,54,000
Refunds	779	1,000	500
Total ...	13,35,983	13,30,000	14,16,000

The increased provision under "Government Presses" is due to larger provision for overtime fees and the purchase of printing machines, and that under "Printing at private Presses" is on account of the printing of the Indian Law Reports.

56. *Miscellaneous.*—The budget estimate under this head for 1909-10 was Rs. 5,27,000, but in the revised estimate this has been reduced to Rs. 3,83,000. The decrease is due to smaller provision for rewards for proficiency in Oriental languages, smaller expenditure under donations for charitable purposes and the Fisheries Commission, and to savings under the lump provision for contributions to District Funds and other miscellaneous charges. The Budget for 1910-11 is Rs. 4,98,000, and includes a special provision of Rs. 1,00,000 to be placed at the disposal of His Honour for petty grants, an item which was formerly shown under "Civil Works in charge of Civil Officers." The charges for the Fishery Department are not shown here, but under "Scientific and Minor Departments," as the Department has been placed under the supervision of the Director of Agriculture.

57. *Subsidised Companies, Land, etc.*—The charges under this head represent the cost of acquisition of land for the Bengal Provincial Railway from Magra to Tarkeswar. This railway belongs to a private Company, but Government meets the cost of land acquisition.

58. *Irrigation Minor Works (Working Expenses).*—The actual charges during 1908-09 were Rs. 13,97,147, and Rs. 13,44,000 were passed as the budget grant for 1909-10. The revised estimate is Rs. 13,81,000, and the estimate for 1910-11, Rs. 13,50,000.

59. *Irrigation Minor Works and Navigation in charge of the Public Works Department.*—The actual expenditure during 1908-09 was Rs. 20,32,056. The budget grant for 1909-10 was Rs. 21,31,000, but in the revised estimate this has been raised to Rs. 21,50,000, chiefly on account of the additional grant of one lakh for the acquisition of land in connection with the Ultadanga-Bamanghata

Canal, while a sum of Rs. 37,218 has been transferred to "42—Major Works." The estimate for 1910-11 has been placed at Rs. 22,72,000. It includes Rs. 43,000 for capital expenditure on the Orissa Canals, chiefly for the raising of the flood-bank of the Pattamundi Canal, and for the construction of permanent outlets and new distributaries in progress since the previous year; Rs. 24,200 for the completion of the new Ultadanga-Bamanghata Canal; Rs. 3,42,000 for the Madaripur Bhil scheme; Rs. 40,000 for training works in the River Ganges; Rs. 30,000 for tho construction of a lock at Utterbagh in connection with the Magrahât Drainage Scheme, and Rs. 2,15,000 for flood damage repairs to embankments in Midnapore and elsewhere. The estimate also includes provision for special repairs and silt clearance on the Orissa Coast Canal, and special repairs to the Chitpur Lock.

60. *Civil Works.*—The estimate of expenditure for 1910-11 has been placed at Rs. 52,59,000, against Rs. 49,00,000 the revised estimate for 1909-10, and Rs. 62,93,800 the actuals of 1908-09. The following figures show the distribution of the allotment as compared with the two preceding years :—

	Actuals, 1908-09.	Revised estimate, 1909-10.	Estimate, 1910-11.
	Rs.	Rs.	Rs.
Original Works ...	35,86,814	21,80,000	24,94,835
Repairs	14,53,872	16,13,000	16,25,000
Establishment ...	10,63,424	10,65,000	10,87,165
Tools and Plant ...	82,898	42,000	52,000
Stock and Suspense ...	1,06,792	.....	...
Total ...	62,93,800	49,00,000	52,59,000

The statement below shows the actual expenditure during 1908-09, and the estimated expenditure during 1909-10, on the principal original works in progress during those two years, as also the estimated expenditure upon the new works or continuation of works in progress, the undertaking of which is in contemplation during 1910-11 :—

	1908-09.	1909-10	1910-11.
	Rs.	Rs.	Rs.
Registration Department—			
Extension, record-room, Muzaffarpur	.....	.....	10,500
New office, Onda	.....	.....	3,950
Ditto, Indas	.....	.....	4,580
Judicial Department—			
Additional accommodation for Civil Courts, Jessore	10,000	45,000	6,600
Single Munsifi, Jajpur	1,834	7,000	14,500
New double-storied Judge's Court, Arrah	30,442	85,000	21,000
Extension of Civil Court, Khulna ...	.....	.....	65,000
Additions and alterations to the Judge's Court, Krishnagore ...	20,000	2,500	3,000
Construction of a treble Munsifi, Khustia	25,000	11,500	1,500
Civil Court buildings and record-room, Darbhanga	61,655	54,000	.....
New Civil Court buildings, Cuttack ...	.....	.....	52,617
New record-room for the District Judge, Purnea	.....	.....	17,366
Revenue Department—			
Deputy Commissioner's Court, Halursingha (Angul)	21,000	18,000	20,000
Deputy Commissioner's residence, Sambalpur	3,000	10,000	20,000
Subdivisional Office, Tamluk ...	.....	.....	25,595
Ditto Jajpur ...	.....	.....	6,790
Ditto Aurangabad ...	.....	.....	7,053

	1908-09. Rs.	1909-10. Rs.	1910-11 Rs.
Jails—			
New Presidency Jail	94,479	1,20,900	75,000
Extension of the Khulna Jail ...	37,908	40,000	54,000
Improvements to the sleeping wards in the Central Jail, Midnapore ...	42,408	24,000	.....
New Sub-Jail at Madhubani ...	5,000	21,000	3,000
Quarters for warders at the Juvenile Jail, Alipur	... ...	... ..	10,400
Construction of a Subsidiary Jail, Banki	.....	.....	7,642
Improvements to the Sub-Jail, Banka	.....	.....	8,500
New Central Jail at Monghyr ..	.....	.....	2,00,000
Jail Hospital, Krishnagore ...	... ..	.....	16,000
Buxar Jail, water works ...	.....	.....	7,042
Re-roofing wards, Hooghly Jail ...	.....	.....	9,000
Extension of *hajut*, Bhagalpur ...	.....	.....	7,345
Improvements to the Magura Sub-Jail	... ...	.....	6,000
Calcutta Police—			
Purchase of the Duff College for a police-station, and additions to it	2,00,214	45,000	69,800
Garden Reach Thana	.....	... ..	68,200
Barrack for the Government House and Imperial Secretariat Police Guards	.....	.....	40,100
Mufassal Police—			
Police Barrack, Chandernagore ...	... ...	.....	18,850
Bamangachi-Howrah Police outpost	.....	.....	11,300
Sudder Police Barrack, Khulna ...	.....	.....	6,174
Hooghly-Shahebganj Police outpost	.....	... ...	14,500
Malipanchagram police outpost in Howrah town	.....	.....	16,000
Education Department—			
Land acquisition for, and the construction of, a physical laboratory at the Presidency College ...	2,39,947	79,573	1,50,000
Ranchi Zilla School	.....	.....	20,800
New Zilla School building, Chaibassa	20,000	26,000	5,000
Elliott Madrasa Hostel	.....	55,000	50,000
Sanitary improvements in the Reformatory School, Hazaribagh ...	.....	.....	10,000
Purulia High School	.....	.....	15,400
Construction of new hall and class rooms at the Darjeeling Zilla School	.....	.....	23,900
Construction of seven model *maktabs*	.....	.....	4,200
Medical Department—			
New Surgical Block at the Medical College Hospital	2,87,568	2,32,670	8,000
Isolation Block at the Medical College Hospital			
Biological Laboratory, Medical College	.....	.....	30,000
Quarters for the Lady Superintendent at the Medical College	.....	.....	20,000
Fourth Block, Medical College ...	.....	... ..	1,60,600
Wards for insane lepers, Albert Victor Asylum, Gobra ...	.....	.....	10,300
Nurses' quarters, Medical College ...	.....	.....	11,000
Water-supply, Chemical Laboratory, Medical College	.....	.....	5,916
Quarters for Civil Surgeon, Darbhanga	.....	.....	6,136
Improvement of the frontage of the Temple Medical School ...	.....	.....	8,000

Canal, while a sum of Rs. 37,218 has been transferred to "42—Major Works." The estimate for 1910-11 has been placed at Rs. 22,72,000. It includes Rs. 43,000 for capital expenditure on the Orissa Canals, chiefly for the raising of the flood-bank of the Pattamundi Canal, and for the construction of permanent outlets and new distributaries in progress since the previous year; Rs. 24,200 for the completion of the new Ultadanga-Bamanghata Canal; Rs. 3,42,000 for the Madaripur Bhil scheme; Rs. 40,000 for training works in the River Ganges; Rs. 30,000 for the construction of a lock at Utterbagh in connection with the Magrahât Drainage Scheme, and Rs. 2,15,000 for flood damage repairs to embankments in Midnapore and elsewhere. The estimate also includes provision for special repairs and silt clearance on the Orissa Coast Canal, and special repairs to the Chitpur Lock.

60. *Civil Works.*—The estimate of expenditure for 1910-11 has been placed at Rs. 52,59,000, against Rs. 49,00,000 the revised estimate for 1909-10, and Rs. 62,93,800 the actuals of 1908-09. The following figures show the distribution of the allotment as compared with the two preceding years :—

	Actuals, 1908-09.	Revised estimate, 1909-10.	Estimate, 1910-11.
	Rs.	Rs.	Rs.
Original Works ...	35,86,814	21,80,000	24,94,835
Repairs	14,53,872	16,13,000	16,25,000
Establishment ...	10,63,424	10,65,000	10,87,165
Tools and Plant ...	82,898	42,000	52,000
Stock and Suspense ...	1,06,792	.....	...
Total ...	62,93,800	49,00,000	52,59,000

The statement below shows the actual expenditure during 1908-09, and the estimated expenditure during 1909-10, on the principal original works in progress during those two years, as also the estimated expenditure upon the new works or continuation of works in progress, the undertaking of which is in contemplation during 1910-11 :—

	1908-09.	1909-10.	1910-11
	Rs.	Rs.	Rs.
Registration Department—			
Extension, record-room, Muzaffarpur	.....	.....	10,500
New office, Onda	.....	.....	3,950
Ditto, Indas	.....	.....	4,580
Judicial Department—			
Additional accommodation for Civil Courts, Jessore	10,000	45,000	6,600
Single Munsifi, Jajpur	1,834	7,000	14,500
New double-storied Judge's Court, Arrah	30,442	85,000	21,000
Extension of Civil Court, Khulna ...	.....	.....	65,000
Additions and alterations to the Judge's Court, Krishnagore ...	20,000	2,500	3,000
Construction of a treble Munsifi, Khustia	25,000	11,500	1,500
Civil Court buildings and record-room, Darbhanga	61,655	54,000	.....
New Civil Court buildings, Cuttack ...	.....	.....	52,617
New record-room for the District Judge, Purnea	.....	.....	17,366
Revenue Department—			
Deputy Commissioner's Court, Halursingha (Angul)	21,000	18,000	20,000
Deputy Commissioner's residence, Sambalpur	3,000	10,000	20,000
Subdivisional Office, Tamluk ...	.....	.....	25,595
Ditto Jajpur ...	.....	.....	6,790
Ditto Aurangabad ...	.....	.....	7,053

	1909-09. Rs.	1909-10. Rs.	1910-11 Rs.
Jails—			
New Presidency Jail	94,479	1,20,900	75,000
Extension of the Khulna Jail ...	37,908	40,000	51,000
Improvements to the sleeping wards in the Central Jail, Midnapore ...	42,408	24,000	.....
New Sub-Jail at Madhubani ...	5,000	21,000	3,000
Quarters for warders at the Juvenile Jail, Alipur	... ...	... ..	10,400
Construction of a Subsidiary Jail, Banki	.....	.....	7,642
Improvements to the Sub-Jail, Banka	.....	.....	8,500
New Central Jail at Monghyr ..	.....	.....	2,00,000
Jail Hospital, Krishnagore ...	... ..	.....	16,000
Buxar Jail, water works ...	.....	.....	7,042
Re-roofing wards, Hooghly Jail ...	.....	.....	9,000
Extension of *hajut*, Bhagalpur ...	.....	.....	7,345
Improvements to the Magura Sub-Jail	... ...	.....	6,000
Calcutta Police—			
Purchase of the Duff College for a police-station, and additions to it	2,00,214	45,000	69,800
Garden Reach Thana	.....	... ..	68,200
Barrack for the Government House and Imperial Secretariat Police Guards	.....	.....	40,100
Mufassal Police—			
Police Barrack, Chandernagore ...	... ...	.....	18,850
Bamangachi-Howrah Police outpost	.....	.....	11,300
Sudder Police Barrack, Khulna ...	.....	.....	6,174
Hooghly-Shahebganj Police outpost	.....	... ...	14,500
Malipanchagram police outpost in Howrah town	.....	.....	16,000
Education Department—			
Land acquisition for, and the construction of, a physical laboratory at the Presidency College ...	2,39,947	79,573	1,50,000
Ranchi Zilla School	.....	.....	20,800
New Zilla School building, Chaibassa	20,000	26,000	5,000
Elliott Madrasa Hostel	.....	55,000	50,000
Sanitary improvements in the Reformatory School, Hazaribagh ...	.....	.....	10,000
Purulia High School	.....	.....	15,400
Construction of new hall and class rooms at the Darjeeling Zilla School	.....	.....	23,900
Construction of seven model *maktabs*	.....	.....	4,200
Medical Department—			
New Surgical Block at the Medical College Hospital	2,87,568	2,32,670	8,000
Isolation Block at the Medical College Hospital			
Biological Laboratory, Medical College	.....	.....	30,000
Quarters for the Lady Superintendent at the Medical College	.....	.....	20,000
Fourth Block, Medical College ...	.....	... .	1,60,600
Wards for insane lepers, Albert Victor Asylum, Gobra ...	.....	.....	10,300
Nurses' quarters, Medical College ...	.....	.....	11,000
Water-supply, Chemical Laboratory, Medical College	.....	.....	5,916
Quarters for Civil Surgeon, Darbhanga	... ..	.....	6,136
Improvement of the frontage of the Temple Medical School ...	.....	.....	8,000

	1908-09. Rs.	1909-10. Rs.	1910-11. Rs.
Miscellaneous—			
Press Block in the new Presidency Jail	.....	.....	2,50,000
Agricultural College, and quarters for Principal and Professors, Sabaur ...	1,11,072	2,49,000	46,200
Construction of bungalow at Mansong Cinchona Plantation	.....	.....	13,000
New Guest-house at Government House, Darjeeling	.....	19,000	2,700
Public Works Department—			
Quarters for Executive Engineer, Ranchi	.....	.....	21,000
Communications—			
New High Level Tista Valley Road, Section I	63,435	4,900	.....
New High Level Tista Valley Road, Section II			
Metalling 13½ miles of the Calcutta-Jessore Road ...	14,203	7,820	9,200
Constructing the Cuttack-Sambalpur Road	49,019	10,500	25,000
Ditto Sambalpur-Sonpore Road	23,226	5,193	.....

61. *Civil Works in charge of the Civil Department.*—The estimate for 1910-11 is Rs. 19,26,000, and includes a provision of Rs. 11,24,000 for grants to District Funds and District Road Funds, of which the sum of Rs. 60,000 is for feeder roads and Rs. 8,90,000 for grants to District Boards for augmenting their resources. Rupees 7,63,000 have also been provided for grants to Municipalities and other excluded Local Funds, of which the principal items are—

	Revised estimate, 1909-10. Rs.	Budget, 1910-11. Rs.
Grant-in-aid to the Calcutta Municipality towards the cost of the drainage of the Fringe Area	50,000	50,000
Re-alignment of drains in the neighbourhood of the new Presidency Jail	20,000	1,07,900
For the widening of Seal's Lane in the Howrah Municipality	9,986	4,000
Grants placed at the disposal of Divisional Commissioners for petty local works of improvement	75,000	1,00,000
Lump provision for grants for works of sanitary improvements, etc.	4,50,000	4,50,000

The lump grant of Rs. 4,50,000 provided in the revised estimates, 1909-10, for sanitary improvements has been expended as follows:—

	Rs.
Howrah Municipality for draining the Baniaputty Jheel ...	3,500
Titagarh ditto drainage	20,000
Dredging of the Bhagirathi	20,000
Azimganj Municipality for drainage	1,500
Drainage of the Bistupur Khal	5,000
Arrah Municipality for drainage	25,000
Daltonganj ditto ditto	16,000
Burdwan ditto ditto	50,000
Bhatpara ditto ditto	5,000
Bhagjolla drainage	1,060
Sahebganj Municipality for drainage	1,300
Bankura ditto ditto	10,000
Hazaribagh ditto ditto	10,000
Berhampur ditto ditto	16,000
Darjeeling ditto ditto	50,000
Monghyr ditto drainage	1,00,000
Naihati ditto water-supply	4,000
Balasore District Board for the excavation of tanks ...	1,000
South Suburban Municipality for the improvement of the water-supply	12,000
Kurseong Municipality for water-supply	14,500
Gaya Municipality for water-works	25,000
Jessore Municipality for water-supply	44,000
Berhampur Municipality for the improvement of the water-supply	15,000

BENGAL PROVINCIAL REVENUE.

Receipts.	Actuals.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Sanctioned estimate.	Revised estimate.	Budget estimate.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Opening balance ...	1,12,61,898	93,84,443	71,73,959	68,77,000	68,19,000	87,37,000
ipal Heads of Revenue—						
I—Land { Proper ...	1,62,06,516	1,57,44,049	1,69,79,503	1,62,34,000	1,65,70,000	1,63,02,000
Revenue. { Adjustment ...	12,14,748	21,01,634	48,96,398	82,73,000	65,00,000	33,64,000
V—Stamps	78,53,349	77,94,138	77,99,919	82,00,000	78,00,000	84,93,000
V—Excise	80,40,646	86,38,849	86,00,502	89,50,000	83,75,000	85,26,000
I—Provincial Rates	36,78,246	37,78,488	38,10,886	38,15,000	40,35,000	39,75,000
I—Assessed Taxes	24,33,631	25,98,514	18,21,482	29,00,000	27,75,000	29,50,000
X—Forests	5,82,929	5,98,895	5,92,428	6,50,000	5,00,000	5,50,000
X—Registration	12,25,432	13,46,656	14,26,043	15,50,000	13,80,000	14,87,000
Total ...	4,06,25,346	4,25,01,003	4,61,27,161	4,56,23,000	4,79,35,000	4,55,47,000
I—Interest	2,62,036	3,49,930	5,21,993	10,30,000	7,12,000	8,53,000
pts by Civil Department—						
I—Law and Justice—						
Courts of Law	5,73,507	5,70,615	6,39,469	6,00,000	6,12,000	6,24,000
Jails	12,07,562	11,58,667	9,21,281	11,08,000	8,13,000	9,64,000
I—Police	1,58,965	1,41,084	1,80,904	1,46,000	1,89,000	1,67,000
I—Ports and Pilotage ..	15,59,308	14,90,708	15,55,871	15,31,000	15,50,000	15,48,000
X—Education	5,60,364	5,65,590	7,18,367	7,76,000	5,97,000	6,00,000
X—Medical	2,43,355	2,38,934	2,81,855	2,90,000	2,84,000	2,98,000
XI—Scientific and other Minor Departments	2,82,319	2,76,622	2,86,008	3,31,000	2,83,000	3,87,000
Total ...	45,45,360	44,51,220	45,83,745	48,40,000	43,28,000	45,88,000
ellaneous—						
II—Receipts in aid of Superannuation... ..	62,729	4,15,664	59,540	55,000	64,000	61,000
II—Stationery and Printing ...	1,94,920	1,32,763	1,29,070	1,33,000	1,26,000	1,84,000
V—Miscellaneous	6,50,180	5,86,455	6,34,688	5,83,000	6,60,000	7,42,000
Total ...	8,47,829	11,34,882	8,23,298	7,71,000	8,49,000	9,37,000
ation—						
IX—Major Works (direct receipts)	22,97,528	23,80,950	26,33,820	24,30,000	27,08,000	25,92,000
X—Minor Works and Navigation—						
By Public Works Department	6,60,499	6,52,852	5,79,308	6,33,000	5,84,000	6,50,000
By Civil Department ...	1,18,688	1,07,147	1,02,305	1,07,000	1,02,000	1,07,000
Total ...	30,76,715	31,40,949	33,15,433	31,70,000	33,94,000	33,49,000
ings and Roads—						
XII—Civil Works—						
By Public Works Department	3,19,625	3,41,459	3,48,202	3,55,000	3,55,000	3,55,000
By Civil Department ...	1,81,284	1,76,872	1,88,184	1,80,000	1,70,000	1,80,000
Total ...	5,00,859	5,18,331	5,31,386	5,35,000	5,25,000	5,35,000
Contributions ...	4,98,937	1,01,859	.....	.....	.....	.....
Total ...	5,03,57,082	5,21,93,234	5,59,03,006	5,60,35,000	5,77,43,000	5,53,09,000

BENGAL PROVINCIAL EXPENDITURE.

EXPENDITURE.	ACTUALS.			1909-10.		1910-11.
	1906-07.	1907-08.	1908-09.	Sanctioned estimate.	Revised estimate.	Budget estimate.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Direct demand on the revenues—						
1. Refunds and drawbacks ...	1,16,578	1,51,195	1,31,332	1,34,000	1,38,000	1,35,000
2. Assignments and Compensations	69,324	63,019	66,907	70,000	66,000	70,000
3. Land Revenue	35,26,961	37,18,322	37,10,161	40,00,000	37,10,000	39,86,000
6. Stamps	2,04,010	2,64,977	2,31,191	2,52,000	2,35,000	2,52,000
7. Excise	3,71,560	3,86,524	3,92,768	4,15,000	4,22,000	4,42,000
8 Provincial Rates	55,784	45,282	41,429	50,000	46,000	64,000
10. Assessed Taxes	75,115	76,531	80,002	82,000	78,000	82,000
11. Forests	3,16,214	3,56,697	2,91,991	2,93,000	2,90,000	3,32,000
12. Registration	6,42,687	7,52,153	8,14,977	8,24,000	7,81,000	8,13,000
Total ...	53,78,203	57,54,709	57,60,761	61,20,000	57,66,000	61,76,000
9. Interest on ordinary Debt ..	2,36,226	3,02,281	4,92,409	6,92,000	6,21,000	5,68,000
Salaries and Expenses of Civil Department—						
18. General Administration ...	18,41,137	18,73,543	19,06,794	19,10,000	19,19,000	21,02,000
19. Law and Justice { Courts of Law	74,09,956	75,61,397	83,75,876	79,20,000	83,04,000	82,43,000
19. Law and Justice { Jails ...	26,63,436	26,96,952	27,70,423	27,00,000	28,00,000	28,71,000
20. Police	69,05,442	73,93,346	80,25,874	83,78,000	80,06,000	84,75,000
21. Ports and Pilotage	11,74,053	11,96,783	22,62,057	12,44,000	11,48,000	12,93,000
22. Education ...	38,50,750	45,52,592	55,28,726	55,57,000	55,50,000	59,17,000
24. Medical	21,96,753	22,41,779	23,28,034	25,20,000	23,39,000	25,16,000
25. Political	41,248	47,083	52,404	56,000	46,000	59,000
26. Scientific and other Minor Departments.	9,73,964	10,76,142	12,26,466	14,05,000	11,89,000	14,32,000
Total ...	2,70,56,739	2,86,38,617	3,24,76,654	3,16,90,000	3,13,01,000	3,29,03,000
Miscellaneous—						
29. Superannuation, etc.	24,86,467	25,91,642	26,27,146	27,48,000	27,20,000	28,11,000
30. Stationery and Printing ...	12,85,202	14,67,261	13,36,983	13,71,000	13,30,000	14,16,000
32. Miscellaneous	8,46,620	3,91,254	5,69,379	5,27,000	3,83,000	4,98,000
Total ...	41,18,289	44,50,147	45,32,508	46,46,000	44,33,000	47,25,000
Famine Relief and Insurance—						
33. Famine Relief	7,11,138	.....	1,56,824	9,14,000	2,48,000	.....
Avoidance of debt	.....	2,60,000	2,60,000	2,60,000	2,60,000	2,60,000
Railways (Revenue Accounts)—						
40. Subsidised Companies—Land, etc.	.....	3,413	.....	1,000	1,000	2,000
Total ...	7,11,138	2,63,413	4,16,824	11,75,000	5,09,000	2,62,000
Irrigation—						
42. Major Works—						
Working expenses	11,88,907	14,25,201	13,97,147	13,44,000	13,81,000	13,50,000
Interest on Debt	21,21,310	21,06,966	20,90,527	21,09,000	20,91,000	20,92,000
43. Minor Works and Navigation—						
By Public Works Department...	19,06,731	18,77,214	20,32,056	21,31,000	21,50,000	22,72,000
„ Civil Department ...	10,211	12,680	11,116	9,000	11,000	8,000
Total ...	52,27,159	54,23,061	55,30,846	55,93,000	56,33,000	57,22,000
Buildings and Roads—						
45. Civil Works—						
By Public Works Department	66,93,428	72,53,933	62,93,800	45,10,000	49,00,000	52,59,000
„ Civil Department ...	1,87,059	4,04,293	17,29,575	24,86,000	16,86,000	19,26,000
Total ...	68,80,487	76,58,226	80,23,375	69,96,000	65,86,000	71,85,000
Contributions ...	26,26,396	19,19,273	.....	.....	.....	.....
Total ...	5,22,34,537	5,44,08,718	5,72,33,377	5,69,12,000	5,48,49,000	5,75,46,000
Closing balance ...	93,84,443	71,73,959	58,43,588	50,00,000	87,37,000	70,00,000
GRAND TOTAL ...	6,16,18,980	6,15,82,677	6,30,76,965	6,19,12,000	6,35,86,000	6,45,46,000
Provincial surplus (+) or deficit (—) ...	—18,72,455	—22,10,484	—13,30,371	—8,77,000	+28,94,000	—17,37,000

[Figures in columns (6) and (7) are those passed by the Government of India.]

The remarks in column 8, except where otherwise especially explained, refer to difference between columns 5 and 7.

I.—Land Revenue—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Gross Land Revenue ...	2,89,04,871	2,92,05,720	2,92,73,443	2,99,14,000	3,04,63,000	3,02,92,000	
Deduct collections from Government estates which are wholly Provincial ...	24,12,948	30,36,761	35,37,651	34,20,000	36,38,000	34,67,000	The increase in the revised estimate is owing to the collection of arrears.
Deduct recoveries of Survey and Settlement charges which are Imperial ...	—95,210	7,54,384	2,52,088	8,65,000	9,60,000	11,55,000	
Total Deductions ...	33,17,738	37,91,145	37,89,739	42,85,000	45,98,000	46,22,000	
Net amount divisible between Imperial and Provincial ...	2,55,87,133	2,54,14,575	2,54,83,704	2,56,29,000	2,58,65,000	2,56,70,000	
Provincial share of above ...	1,27,93,567	1,27,07,288	1,27,41,852	1,28,14,000	1,29,32,000	1,28,35,000	
Add collections from Government estates	24,12,948	30,36,761	35,37,651	34,20,000	36,38,000	34,67,000	
Total Provincial ...	1,52,06,515	1,57,44,049	1,62,79,503	1,62,34,000	1,66,70,000	1,63,02,000	
Add on account of adjustments as shown on next page ...	12,14,548	21,01,634	48,96,393	32,73,000	65,00,000	33,64,000	
Grand Total (Provincial share)	1,74,21,063	1,78,45,683	2,11,75,896	1,95,07,000	2,30,70,000	1,96,66,000	

		Revised estimate, 1909-10. Rs.	Budget estimate, 1910-11. Rs.
Patna Division		6,00,000	5,00,000
South Monghyr			3,30,000
„ Bhagalpur			5,000
Ranchi		3,60,000	2,00,000
Singhbhum (Dhalbhum)			1,20,000
Total ...		9,60,000	11,55,000

Adjustments—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
Contributions from Imperial to Provincial.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Fixed adjustment under the Provincial Settlement ...	7,39,000	7,39,000	7,39,000	7,39,000	7,39,000	7,39,000	
On account of expenditure in connection with the Settlement operations in the Chanderpur Padampur estate and Phaljhar zamindari in the Central Provinces	5,000	.....	.....	.....	.....	.....	
On account of the Madaripur Bhil Route (Maintenance) ...	50,000	50,000	50,000	50,000	50,000	50,000	
For capital expenditure on ditto	.....	50,000	83,838	1,68,000	1,70,000	1,53,000	Represent a moiety of the net capital outlay on the scheme payable by the Government of Eastern Bengal and Assam.
For Cantonment Magistrates ...	29,000	.....	.....	.....	.....	.....	Imperialised with effect from the 1st April 1907.
In connection with the Famine-relief Scheme	.....	2,60,000	2,60,000	2,60,000	2,60,000	2,60,000	
For Archæological expenditure	10,000	7,134	6,000	.....	5,000	.....	
Adjustment of expenditure incurred in connection with the repairs of Archæological remains at Monair	706	.....	.....	.....	.....	.....	
Assignment for Police reforms ...	4,00,000	8,00,000	12,00,000	14,50,000	14,50,000	17,67,000	Includes an annual additional assignment of Rs. 3,17,000 with effect from 1910-11.
For Technical education ...	35,000	35,000	35,000	35,000	35,000	35,000	
For European and Eurasian education	65,000	65,000	65,000	65,000	65,000	65,000	
For special contribution to Provincial revenues ...	.....	.....	16,95,000	.....	30,42,000	.....	A special Imperial assignment of Rs. 30,42,000 has been made in 1909-10 partly to restore the normal scale of expenditure on Civil Works and partly to raise the closing balance to the prescribed minimum of 20 lakhs in 1910-11 (exclusive of 50 lakhs held on account of the Calcutta Improvement Trust).
For University and Collegiate education	1,60,000	1,60,000	1,60,000	.....	1,60,000	1,60,000	
On account of the abolition of the Patwari Cess in Sambalpur ...	26,000	26,000	26,000	26,000	26,000	26,000	
For the continuous maintenance of records in Orissa ...	.....	29,000	59,000	88,000	88,000	1,18,000	
Surplus receipts over expenditure of the districts transferred from Bengal to Eastern Bengal and Assam	2,23,622	.....	.....	.....	.....	.....	

On account of the Eastern Bengal and Assam Government contribution to the Belgachia Veterinary College	28,000	28,000	28,000	28,000	28,000	28,000	
For charges in connection with Major Sutherland's enquiry in the Medical College ...	.....	.....	12,000	23,000	23,000	.....	
Grant for special bonus to low-paid Government servants ...	....	.....	1,81,175	.....	.....	.....	
Transfer of buildings occupied by the Superintendent, Post Office, Cuttack, to Imperial (Government of India, Commerce and Industry Department letter No. 11149—254, dated 9th December 1908, to the Director-General of Post Offices of India) ...	.....	.....	5,070	.....	.....	.....	
Charges in connection with Captain McCay's deputation to conduct an enquiry into the subject of jail dietaries ...	.....	.....	9,587	.....	13,000	.....	
On account of the provincialization of the Dhaka Canal ...	12,000	12,000	12,000	12,000	12,000	12,000	
For transfer of a portion of the cost of the Calcutta Collectorate from the divided head of Excise to the wholly provincial head of Land Revenue ...	..	..	4,330	4,000	4,000	4,000	
For net charges of Inland Labour Transport in Bengal payable by Eastern Bengal and Assam	.....	.....	13,000	13,000	13,000	13,000	
For increased remuneration to the Solicitor to Government ...	.....	36,000	36,000	36,000	36,000	36,000	
To meet extra expenditure on account of supplies by the Central Press, Calcutta, to the provincial Presses ...	.....	2,000	2,000	2,000	2,000	2,000	
For transfer of the control of the Government gardens in and near Calcutta to the Superintendent, Royal Botanic Gardens	.....	10,500	10,500	11,000	8,000	3,000	The decrease is due to the retransfer of the control of the Government House gardens to the Military Department.
Fees paid by the Eastern Bengal and Assam Government to the Sanitary Board, Bengal, for the preparation of the water-work scheme of the Barisal Municipality	.....	.....	4,143	.....	.....	.....	

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
For grant to the Bibliothica Indica Fund of the Asiatic Society ...	.....	3,000	3,000	3,000	3,000	3,000	
On account of the remission of banking fees charged to Local Funds for their transactions with Government treasuries...	.....	70,000	70,000	70,000	70,000	70,000	
For relief of Municipalities from Police charges	... ..	.....	21,000	21,000	21,000	21,000	
Expenditure on cemeteries ...	.....	4,000	4,000	4,000	4,000	4,000	
On account of the remission of audit fees hitherto charged to local bodies	.. ...	65,000	65,000	65,000	65,000	65,000	
Assignment for works of sanitary improvements.	.....	.....	4,50,000	4,50,000	4,50,000	4,50,000	
Audit of the Calcutta Municipal accounts	.....	.....	.....	11,000	11,000	11,000	
Conduct of the Overseer and Sub-Overseer examinations ...	.....	.....	.....	.....	4,000	.....	A moiety of the cost is payable by the Government of Eastern Bengal and Assam. From 1910-11 it will be paid direct to the Joint Technical Examination Board, and not through the Bengal accounts.
Cost of printing and publishing the text-books for High Proficiency and Degree of Honour examinations in the Tibetan language	.....	.....	.....	.....	2,000	.....	
For training in agriculture of Babu J. N. Chakravarty whose services have been transferred to Eastern Bengal and Assam	.....	.....	.....	.....	8,000	... .	
Deduct Contribution from Provincial to Imperial.							
Transfer of the balance of the District Dák Funds to Imperial	2,17,780	.....	.....	.....	.....	.....	
On account of the abolition of the Superannuation Fund ...	21,000	21,000	21,000	21,000	21,000	21,000	
For savings under Interest—Capital outlay on Irrigation works	3,45,000	3,45,000	3,45,000	3,45,000	3,45,000	3,45,000	
Excess credit to Provincial on account of the gardens at Government House ...	.....	.....	16,000	.....	.....	.....	
Recovery of contribution from Provincial in connection with the new scheme of taxation under Stamps and Excise ...	.....	... ..	.....	.....	.....	3,69,000	

in the office of the Agent for Government Consignments, Calcutta, which has been provincialised	.....	.....	... ..	15,000	16,000	16,000	
Net sum to be transferred from Imperial	12,14,648	21,01,634	48,93,893	33,75,000	65,00,000	33,64,000	

IV.—Stamps—

Sale of general stamps ...	42,94,684	46,14,354	46,86,068	48,60,000	46,79,000	53,36,000	} Increase of Rs. 6,86,000 expected from the new scheme of taxation involving higher duties on debentures, share warrants to bearer, transfers of shares and debentures, agreements relating to the sale of shares and securities, bills of exchange and probates.
Do. of court-fee stamps ...	1,00,20,443	1,04,46,217	1,06,07,066	1,12,00,000	1,06,00,000	1,10,35,000	
Do. of plain-paper to be used with court-fee stamps ...	1,93,781	1,93,283	1,90,669	1,94,000	2,03,000	2,10,000	
Duty on impressing documents	1,71,939	3,08,721	80,712	1,70,000	64,000	1,70,000	
Fines and penalties ...	20,093	21,689	28,303	25,000	28,000	40,000	
Miscellaneous	5,859	3,988	12,021	51,000	21,000	15,000	
Total ...	1,47,06,698	1,55,88,275	1,55,99,838	1,65,00,000	1,56,00,000	1,67,86,000	Revised based on ten months' actuals.
Provincial share ...	73,53,349	77,94,138	77,99,919	82,50,000	78,00,000	83,93,000	

V.—Excise—

License and distillery fees for the sale of liquors and drugs—							
Foreign liquors ...	2,99,985	2,70,106	2,94,959	3,00,000	2,90,000	2,90,000	
Indian-made liquors excised at tariff rates ...	7,73,193	9,03,682	7,90,167	8,50,000	8,10,000	8,62,000	Budget includes Rs. 52,000 from the new scheme of taxation for increased tariff rates on beer and spirits.
Country spirits—							
License fees—							
Distillery	16,76,693						
Outstills	39,92,286	92,98,836	89,87,331	98,37,000	88,00,000	90,00,000	The abolition of outstills and the introduction of the contract distillery system have caused a reduction in license fees.
Still-head duty ..	29,31,323						
Miscellaneous	86,465						
Toddy revenue	11,35,078	11,82,292	12,39,503	12,00,000	12,00,000	12,00,000	
Opium and its preparation ..	6,20,681	6,25,188	6,57,942	6,80,000	6,60,000	6,60,000	
Other drugs, ganja, bhang, etc.	13,40,024	13,16,544	14,06,184	13,70,000	14,00,000	14,00,000	
Total	1,28,55,678	1,35,96,913	1,33,76,074	1,42,87,000	1,31,60,000	1,34,12,000	
Gain on sale-proceeds of excise opium	17,31,392	19,96,606	20,59,997	21,20,000	19,53,000	20,50,000	
Duty on ganja	14,71,197	14,60,889	15,42,247	15,20,000	16,15,000	15,68,000	
Fines, confiscations and miscellaneous	23,118	23,251	21,016	23,000	22,000	22,000	
Transit duty on excise opium ...	.....	... ..	1,670	... ..	....	.....	
Grand Total ...	1,60,81,392	1,70,77,699	1,70,01,004	1,79,00,000	1,67,50,000	1,70,52,000	Revised based on ten months' actuals. The Budget provides for a normal increase of 2½ lakhs.
Provincial share ...	80,40,696	85,38,949	85,00,502	89,50,000	83,75,000	85,26,000	

VI.—Provincial Rates—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
Public Works Cess ...	Rs. 34,91,470	Rs. 36,18,453	Rs. 36,60,066	Rs. 36,53,000	Rs. 38,70,000	Rs. 37,90,000	The increase in the revised is partly on account of the collection of arrears and is partly due to the collection of rates from coal mines valued for the first time in 1908-09, but the cess on which was not collected in that year. A reduction in the profits of coal mines is anticipated, and there will be smaller arrears for collection in 1910-11.
General rates for the management of private estates ...	1,26,776	1,59,985	1,50,820	1,63,000	1,65,000	1,85,000	Budget based on enhanced rates to be realised to meet the salary of the lady Legal Adviser for *purda-nashin* ladies and her establishment, etc.
Total ...	36,18,246	37,78,438	38,10,886	38,16,000	40,35,000	39,75,000	

VIII.—Assessed Taxes—

Deductions by Government from salaries and pensions, etc. ...	4,20,988	4,27,164	4,40,522	4,55,000	4,50,000	4,60,000	
Deductions by Government from interest on Government securities	21,801	23,830	24,053	25,000	25,000	26,000	
Deductions from salaries, etc., paid by local authorities or companies	58,387	58,699	63,240	70,000	64,000	63,000	
Income-tax on securities of local authorities or companies ...	1,02,747	1,11,088	1,27,334	1,35,000	1,20,000	1,27,000	
Ordinary collections ...	42,44,122	45,55,095	49,71,118	51,00,000	48,73,000	52,06,000	
Penalties	11,114	11,786	9,344	15,000	10,000	10,000	
Miscellaneous	8,103	9,376	7,363	10,000	8,000	8,000	
Total ...	48,67,262	51,97,028	56,42,964	58,00,000	55,50,000	59,00,000	Revised based on ten months' actuals.
Provincial share ...	24,33,631	25,98,514	28,21,482	29,00,000	27,75,000	29,50,000	

Timber and other produce removed from the forests by consumers or purchasers ...	9,82,885	11,01,562	11,24,366	12,42,000	9,39,000	10,41,700	A recovery in the timber trade is anticipated in 1910-11. The increase is also due to the extension of mica-mining in Palamau. The decrease in the revised is due to general depression in the timber trade and to a decrease in the quantity of *sabai* grass cut in Singhbhum.
Confiscated drift and waif wood	4,085	5,506	1,937	3,800	2,000	3,600	Revised based on ten months' actuals.
Miscellaneous	32,734	39,964	40,874	37,200	37,000	38,000	
Total ...	10,65,859	11,97,660	11,84,846	13,00,000	10,00,000	11,00,000	
Provincial share ...	5,32,929	5,98,825	5,92,423	6,50,000	5,00,000	5,50,000	

X.—Registration—

Fees for registering documents...	11,37,637	12,47,672	13,27,151	14,50,000	12,72,000	13,77,000	
Fees for copies of registered documents	32,005	37,703	37,437	38,000	42,000	44,000	
Miscellaneous	55,790	61,181	61,455	62,000	66,000	66,000	
Total ...	12,25,432	13,46,556	14,26,043	15,50,000	13,80,000	14,87,000	The Budget provides for an increase of Rs. 1,07,000. Revised based on ten months' actuals.

XII.—Interest—

Class I.—Interest on advances to cultivators—							
On advances to cultivators under the Land Improvement Loans Act ...	26,138	1,04,494	41,519	5,60,000	2,54,000	4,26,000	Decrease in the revised is due to the non-recovery of interest in 1909-10. The increase in the Budget is on account of the recovery of arrears.
On advances to cultivators under the Agriculturists' Loans Act, XXII of 1884	27,094		93,933				
On loans to Co-operative Credit Societies ...	76	—53	50	569	443	1,000	
Class II.—Interest on advances under Special Laws—							
On drainage and embankment advances ...	—13,307	33,068	43,272	28,000	22,000	27,000	
Class III.—Interest on loans to land-holders, etc. ...	10,841	7,454	1,31,031	2,04,000	2,13,000	1,73,000	
Class IV.—Interest on loans to Municipal and other public Corporations (excluding Presidency Corporations) ...	1,52,614	1,61,766	1,78,378	1,92,000	1,79,000	1,84,000	Revised based on outstanding arrear balances, excluding the advances on account of the Magra Hât Drainage Scheme. Budget based on the amount of interest due in 1910-11 on the existing loans and on the probable amount of advances to be made in that year, excluding the advances on account of the Magra Hât Drainage Scheme.
Interest on Government securities	7,046	7,094	7,070	7,000	7,000	8,000	
Interest on famine advance ...	.....	2,068	... .	.. ...	... ..	.. ...	

XII.—Interest—concluded.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
Miscellaneous—	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	
Interest on arrears of Public Works cess	33,493	31,864	34,246	32,500	32,000	32,000	
Other items	17,720	1,264	1,743	4,000	4,000	2,000	The actuals of 1906-07 included interest on debentures held by the Calcutta Police Superannuation Fund which were sold in 1907-08.
Interest on zamindari embankment recoveries, etc. ...	1,321	981	746	1,500	1,000	1,000	
Total Miscellaneous ...	52,534	34,109	36,740	38,000	37,000	35,000	
Deduct for rounding ...	.....	.....	.....	+431	—442	.....	
Total ...	2,62,036	3,49,990	5,21,993	10,90,000	7,12,000	8,63,000	

XVIA.—Law and Justice—Courts of Law—

Sale-proceeds of unclaimed and escheated property ...	28,611	25,046	73,220	25,000	27,000	28,000	There were special receipts of Rs. 43,000 in 1908-09 in the district of Bhagalpur.
Court-fees realised in cash ...	18,360	21,709	21,227	22,000	17,000	21,000	
General fees, fines and forfeitures	4,86,840	4,86,592	5,04,052	5,07,000	5,20,000	5,30,000	
Pleadership Examination fees ...	25,504	26,493	27,483	27,000	31,000	29,000	}
Miscellaneous fees and fines ...	2,297	2,285	805	2,000	1,000	1,000	} Estimates based on past actuals.
Miscellaneous	11,895	17,490	12,682	17,000	16,000	15,000	}
Total ...	5,73,507	5,79,615	6,39,469	6,00,000	6,12,000	6,24,000	Revised based on the actuals of the first nine months

XVIB.—Jails—

Jails	14,037	16,287	12,312	16,000	13,000	14,000	
Jail Manufactures	11,93,515	11,42,380	9,08,969	11,52,000	8,00,000	9,50,000	The decrease in the revised is due to smaller demands for supplies including tents from different Departments, specially the Police and Ordnance Departments.
[illegible]	[illegible]	[illegible]	[illegible]	11,68,000	8,13,000	9,64,000	Revised based on the actuals of the first nine months.

Police supplied to Municipal and Town Funds ...	.....	.....	39	.....	.....	.....	
Police supplied to public Departments, private Companies and persons	30,793	18,386	64,608	30,000	78,000	50,000	Smaller recoveries on account of punitive police are anticipated.
Presidency Police	76,232	76,107	75,298	77,000	72,000	77,000	
Recoveries on account of village police	491	588	1,994	1,000	2,000	2,000	
Fees, fines and forfeitures ...	25,359	27,104	27,318	27,000	27,000	27,000	
Superannuation receipts ...	1	.....	.....	.....	.....	.....	
Miscellaneous	6,089	19,899	11,747	10,000	10,000	11,000	
Total ..	1,38,965	1,41,084	1,80,904	1,45,000	1,89,000	1,67,000	Revised based on the actuals of the first nine months.

XVIII.—Ports and Pilotage—

Sale-proceeds of vessels and stores	.....	1,580	22,003	1,000	6,000	1,000	The actuals of 1908-09 included the sale-proceeds of the pilot-vessel *Fame*. Revised includes Rs. 5,700 for the sale-proceeds of the steam-launch *Enchantress*.
Registration and other fees ...	73,362	70,848	75,205	72,900	75,000	72,000	Decrease in budget is due to the introduction of a separate examination by Eastern Bengal and Assam.
Pilotage receipts { Calcutta ...	13,73,690	13,38,777	13,76,808	13,70,000	13,84,000	13,90,000	
Pilotage receipts { Balasore ...	.....	.....	...	100	.....	.....	
Lead-money for Volunteers ...	16,697	15,375	12,091	16,000	13,000	12,000	
Miscellaneous—							
Deductions for mess-money ...	12,987	12,595	13,156	13,000	13,000	13,500	
Marine survey	44,645	39,675	37,024	40,000	39,400	40,000	
Overtime fees	8,192	8,176	8,384	8,400	8,200	8,400	
Miscellaneous receipts of the Shipping Office ...	6,926	4,726	6,079	6,000	7,000	6,150	
Other items	3,637	3,887	6,122	4,600	4,400	5,000	
Fees for certificates of inland vessels under Act VI of 1884	472	70	.....	100	.....	.....	
For rounding ...	.....	.....	.....	.....	.....	—50	
Total Miscellaneous ...	75,659	69,128	69,764	71,000	72,000	73,000	
GRAND TOTAL ...	16,39,908	14,90,708	15,55,871	15,31,000	15,50,000	15,48,000	Revised based on the actuals of the first nine months.

XIX.—*Education*—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Fees, Government Colleges—							
General	1,77,418	1,90,152	1,73,723	1,85,000	2,27,000	2,13,000	Budget and revised include receipts from hostel fees which were first taken under Miscellaneous, but afterwards adjusted under "Government Schools—General."
Professional	47,152	50,229	31,107	20,000	41,000	37,500	
Fees, Government Schools—							
General	2,58,023	2,62,832	3,97,604	2,59,000	2,69,000	2,73,000	
Special	12,962	12,239	11,068	17,000	18,000	18,000	
Contributions from Native States, private persons and Municipalities	10,978	8,861	13,497	11,200	10,000	13,000	
Income from endowments ...	.....	1	14	.....	.....	.....	
Miscellaneous	53,826	41,273	1,91,344	2,82,800	32,000	45,500	The actuals of 1908-09 included the refunds made by District Boards of the amounts placed at their disposal in previous years for primary school buildings. No refunds have been made on this account in 1909-10 though it was anticipated that 2 lakhs would be refunded.
Total ...	5,60,364	5,65,590	7,18,357	7,75,000	5,97,000	6,00,000	

XX.—*Medical*—

Medical School and College fees	51,294	50,844	59,170	53,000	64,000	63,000	
Hospital receipts (receipts from paying patients) ...	1,11,387	1,14,858	1,47,055	1,60,000	1,43,000	1,60,000	
Lunatic Asylum receipts ...	17,836	18,060	14,615	19,000	16,000	16,000	
Contributions (from Municipalities and private persons) ...	47,729	48,914	47,392	48,000	47,000	57,000	Larger contributions have been promised by the Calcutta Corporation to the Campbell Hospital and Sumbhu Nath Pundit's Hospital
Medicines sold to Civil Surgeons	29	14	39	... ..	3,000	.....	
Miscellaneous	15,080	6,244	13,584	10,000	11,000	13,000	
Total ...	2,43,355	2,38,934	2,81,855	2,90,000	2,84,000	2,98,000	Revised based on the actuals of the first nine months.

Botanical and other public garden receipts	2,075	1,812	2,079	2,000	2,000	2,500	
Veterinary and stallion receipts	28,917	33,339	33,451	35,000	35,000	35,000	
Cinchona plantation ...	2,05,978	2,05,267	1,92,238	2,22,000	1,82,000	2,50,000	Increased sales of quinine are anticipated.
Receipts on account of experimental cultivation ...	2,206	9,816	12,920	31,000	27,000	54,000	
Public exhibitions and fairs ..	.....	281	22	.....	.....	.....	
Emigration fees	41,684	25,336	26,743	30,000	22,000	28,000	
Inland Labour fees ...	.....	.....	15,722	10,000	14,000	16,000	
Examination fees	1,956	770	2,757	1,000	1,000	1,500	
Miscellaneous	103	1	76	.....	.. ...	.....	
Total ...	2,82,919	2,76,622	2,86,908	3,31,000	2,83,000	3,87,000	Revised based on the actuals of the first nine months.

XXII.—Receipts in aid of Superannuation—

Family subscriptions of Indian members of the Covenanted Civil Service	1,622	1,609	1,586	2,000	2,000	2,000	
Contributions for pensions and gratuities—							
Contributions of officers lent to Foreign service of the first and second kind ...	38,747	42,555	39,461	36,000	41,000	39,000	
Contributions of persons employed for the management of private estates under Act X of 1892 ...	8,011	4,545	3,463	2,000	6,500	5,000	
Annuity deductions of Covenanted Civilians lent to Native States, etc, for short terms	1,680		2,062	2,400	1,500	2,000	
Refund of gratuities ...	40	2,227	.....	.....	.	.....	
Deductions for Marine Pension Fund	12,563	11,751	12,968	12,000	13,000	13,000	
Miscellaneous	66	3,52,977	.....	.....	.....	... ..	The actuals of 1907-08 represented the sale-proceeds of the Calcutta Municipal Debentures belonging to the Police Superannuation Fund.
				55,400			
Deduct—For rounding ...	... ..	.....		400	.....	.....	
Total ...	62,729	4,16,664	59,540	55,000	64,000	61,000	

XXIII.—Stationery and Printing—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Stationery receipts	2,243	2,249	2,699	2,000	2,000	2,500	
Sale of Gazettes and other publications	1,00,614	95,561	94,191	95,950	96,000	95,900	
Other Press receipts ...	32,063	34,953	32,280	35,050	27,000	35,600	
Total ...	1,34,920	1,32,763	1,29,070	1,33,000	1,25,000	1,34,000	Revised based on the actuals of the first nine months.

XXV.—Miscellaneous—

Recovery on account of famine expenditure	.....	.....	3,823	... ..	6,000	4,000	
Unclaimed deposits... ...	4,36,182	4,06,717	4,64,451	4,00,000	4,05,000	4,05,000	Revised based on the amounts likely to lapse to Government at the close of the year. Budget follows the revised.
Treasure-trove	4	1,016	2	... ..	.....	.....	
Sale-proceeds of Durbar presents	2,190	15,519	19,961	3,000	7,000	3,000	
Sale of old stores and materials	1,278	3,013	1,239	2,000	45,000	2,000	Revised includes the sale proceeds of the steam-trawler *Golden Crown* belonging to the Fishery Department, sold for Rs. 40,000.
Sale of lands and houses, etc. ...	6,987	1,919	296	.. ..	60,000	1,80,000	Revised includes Rs. 60,000 being a part payment of the sale-proceeds of the Jorabagan thana. Budget includes Rs. 1,40,000, the balance of the sale-proceeds, which are roughly estimated at 2 lakhs, and Rs. 40,000 on account of the sale-proceeds of the existing land and buildings of the Garden Reach thana.
Fees for Government audits ...	49,994	15,759	27,085	21,000	22,000	19,000	Decrease from 1907-08 due to abolition of audit fees for the audit of Municipal and Local Funds Accounts.
Rents	17,066	22,421	18,043	20,000	17,000	19,000	
Miscellaneous fees, fines and forfeitures	3,155	2,570	2,972	3,000	3,000	3,000	
Contributions	27,192	.....	.....	.....	...	..	The levy of banking fees was abolished in 1907-08.
Miscellaneous—							
Fees and fines of Revenue Courts	60,196	66,532	67,420	66,000	70,000	67,000	
Recoveries of Law charges other than those in pauper suits	15,933	21,370	13,372	21,000	13,500	17,000	
Value of mathematical stores returned	.....	2,56	308	...	.....	.....	
Sundry receipts—Circuit-house	796	345	183	500	500	500	
Miscellaneous receipts on account of Public Works Cess under Act IX (B.C.) of 1880	1,643	.....	159	.....	500	1,000	

ment of Wards' estates ...	403	1,175	1,079	1,000	1,000	.....	
Sale-proceeds of trees on tea-lands	205	.....	.....	.....	.....	.....	
Sale of fish	.....	.....	.....	15,000	.....	.....	
Sale of elephants	12,900	6,406	.....	11,000	.....	5,000	
Other items	14,107	19,130	14,299	19,500	9,500	16,500	
Total Miscellaneous ...	1,06,182	1,17,521	96,816	1,34,000	95,000	1,07,000	Revised based on the actuals of the first nine months.
GRAND TOTAL ...	6,50,180	5,86,455	6,34,688	5,83,000	6,60,000	7,42,000	

XXIX.—Major Works—(Direct Receipts)—

Orissa Canals	5,01,729	4,87,689	5,14,772	5,10,000	5,11,000	4,93,000	
Midnapore Canal	1,56,521	1,53,330	1,74,734	1,70,000	1,92,500	1,93,000	Increase in water-rate was due to the irrigation of a larger *kharif* area in 1908-10; the leases, being for a term of years, will hold good for 1910-11.
Hijili Tidal Canal	71,515	58,703	46,055	62,000	77,500	73,000	Increase expected from navigation receipts, owing to good crops in the district of Balasore.
Sone Canals	15,64,819	16,63,360	18,71,088	16,75,000	19,20,000	18,22,000	Increase in water-rate was due to the larger area irrigated during 1908-09. The *rabi* area that will be irrigated in 1909-10 will be less than in 1908-09, owing to
Dhaka Canal	3,944	17,868	27,171	19,000	7,000	11,000	the favourable rainfall. Smaller receipts are therefore anticipated for 1910-11.
Total ...	22,97,528	23,80,950	26,33,820	24,96,000	27,08,000	25,92,000	

XXX.—Minor Works and Navigation—

IN CHARGE OF THE CIVIL DEPARTMENT.							
Recoveries on account of lands benefited by embankments ...	1,14,382	1,07,147	1,02,306	1,07,000	1,02,000	1,07,000	
Recoveries on account of capitalised maintenance charges of the Rajapur Drainage Project	4,306	.....	.....	.....	.....	.....	
Total in charge of the Civil Department	1,18,688	1,07,147	1,02,306	1,07,000	1,02,000	1,07,000	
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.							
(Irrigation and Navigation Works.)							
Works for which Capital and Revenue accounts are kept—							
Orissa Coast Canal ...	37,738	25,049	20,859	27,000	27,000	27,000	
Saran Canals	797	717	1,158	800	1,000	1,000	
Calcutta and Eastern Canals	5,03,968	5,23,510	4,32,012	4,50,000	4,10,000	4,70,000	Increase expected owing to the opening of the Ultadanga-Bamanghata Canal.
Madaripur Bhil scheme ...			38,107	51,000	46,000	51,000	The decrease in the revised is due principally to a falling off in navigation receipts—mainly due to obstructions caused by sunken boats wrecked in the cyclone of the October 1909.
Total ...	5,42,503	5,49,276	4,92,136	5,28,800	4,84,000	5,49,000	

XXX.—Minor Works and Navigation—concluded.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	
Works for which only Revenue accounts are kept—							
Nadia Rivers	46,515	35,235	28,765	40,000	30,000	30,000	
Gaighatta and Buxi Khal ...	2,000	2,500	3,469	4,500	4,500	4,500	
Total ...	48,515	37,735	32,234	44,500	34,500	34,500	
Works for which neither Capital nor Revenue accounts are kept—							
Eden Canal	29,131	18,958	19,857	20,500	22,000	21,000	
Teur „	1,635	5,823	5,125	5,200	5,000	5,500	
Sugarcane irrigation in Bihar	2,000	.....	.....	.....	.....	.....	
Damodar project ...	.....	.....	.....	.....	.....	.....	
Total ...	32,766	24,781	24,982	25,700	27,000	26,500	
Total Irrigation and Navigation Works	6,23,784	6,11,792	5,49,352	5,99,000	5,46,500	6,10,000	
Agricultural Works.							
Works for which only Revenue accounts are kept—							
Magra Hát Drainage Project...	93	938	3,651	.....	5,000	7,000	
Works for which neither Capital nor Revenue accounts are kept—							
Government embankments	31,917	13,791	6,868	12,000	12,000	11,500	
Takavi embankments under contract	4,705	26,331	19,537	22,000	21,500	21,500	
Total Agricultural Works...	36,715	41,060	29,956	34,000	38,500	40,000	
Total in charge of the Public Works Department ...	6,60,499	6,52,852	5,79,308	6,33,000	5,84,000	6,50,000	
Grand Total ...	7,79,187	7,59,999	6,81,613	7,40,000	6,86,000	7,57,000	

XXII— Civil Works—

In charge of the Civil Department.							
Tolls on ferries	1,72,932	1,67,800	1,73,776	1,70,000	1,60,000	1,70,000	
Cemetery receipts	1,845	1,421	2,550	2,000	2,000	3,000	
Receipts from staging bungalows and encamping grounds ...	6,457	7,651	6,855	8,000	8,000	7,000	
Miscellaneous	.....	.....	3	.....	.....	.....	
Total in charge of the Civil Department	1,81,234	1,76,572	1,83,184	1,80,000	1,70,000	1,80,000	Revised based on nine months' actuals.
In charge of the Public Works Department.							
Total gross receipts ...	3,19,625	3,41,459	3,48,202	3,55,000	3,55,000	3,55,000	
Grand Total ...	5,00,859	5,18,031	5,31,386	5,35,000	5,25,000	5,35,000	

Contributions—

Bengal	4,98,937	1,01,859	.....	.....	.....	.....	This head ceased to exist when the District Funds and District Road Funds were made "Excluded Local Funds."

APPENDIX B.

Bengal Provincial Expenditure, in detail by minor heads.

[Figures in columns (6) and (7) are those passed by the Government of India.]

[The remarks in column 8 except where otherwise specially explained, refer to difference between columns 5 and 7.]

1.—Refunds and Drawbacks—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Land Revenue	17,565	28,397	18,193	23,000	15,500	19,000	Budget based on the average actuals of the past three years, omitting special payments.
Stamps	72,478	75,909	82,892	77,000	88,000	83,000	
Excise	5,016	19,125	11,670	10,000	10,000	11,000	
Assessed Taxes	9,013	10,460	8,375	10,000	9,000	9,000	
Forest	723	1,021	1,684	1,000	500	1,000	
Provincial Rates	9,433	12,566	5,711	10,000	12,000	9,000	
Registration	2,352	3,717	2,807	3,000	3,000	3,000	
Total ...	1,16,678	1,51,195	1,31,332	1,34,000	1,38,000	1,35,000	Revised based on the actuals of the first nine months.

2.—Assignments and Compensations—

Pension in lieu of resumed lands	1,411	1,465	1,312	2,000	1,000	2,000	Budget provides for actual claims.
Malikana'	67,568	61,354	65,298	68,000	64,500	67,500	
Excise Compensation ...	345	200	297	400	500	700	
For rounding ...	...	.....	...	—400	... ...	—200	
Total ...	69,324	63,019	66,907	70,000	66,000	70,000	Revised based on the actuals of the first nine months

3.—*Land Revenue*—

Heads.	1906-07.	1907-08	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Charges of District Administration—							
General Establishment ...	22,21,444	23,76,163	24,49,796	25,23,000	24,21,000	25,33,000	The Budget includes Rs. 33,600 for eight additional Joint-Magistrates by promotion of Assistant Magistrates and Rs. 34,400 for additional Deputy Magistrates and Sub-Deputy Collectors for the Settlement Department. Provision has been made for an increased number of probationary Deputy Collectors and Sub-Deputy Collectors.
Subdivisional Establishment	1,08,252	1,13,627	1,17,696	1,16,000	1,17,000	1,12,000	Smaller provision made for grain allowance.
Partition Establishment ...	27,024	—31,478	—61,018	—2,000	—47,000	—17,000	
Process-serving Establishment	1,49,941	1,51,671	1,53,789	1,59,000	1,47,000	1,27,000	The cost is now debited equally between Criminal and Revenue Courts instead of in the proportions of $\frac{3}{4}$ths and $\frac{1}{4}$th, respectively, as hitherto.
Record-room (or copy-making) Establishment ...	46,180	37,438	28,408	39,000	26,000	26,000	No provision made for non-recurring improvements.
Survey of waste lands ...	2,567	149	.....	6,000	.....	6,000	It is in contemplation to revert to the old system of giving leases to large capitalists.
Management of Private Estates under Act X of 1892	25,528	29,605	33,839	39,000	36,000	40,500	
Lump provision for increase of pay of Ministerial Establishment	.....	.....	.....	1,40,000	40,000	1,50,000	Revised provides for half the charges of nine months while the budget provides for the payment of arrears of 1909-10.
Bonus	.....	.....	17,020	.. ..	.....	.. ...	
				30,20,000	. ...	29,77,500	Revised based on the first nine months' actuals.
Deduct—Probable savings	.....	.....	.....	20,000	.....	—500	
Total ...	25,80,326	26,77,175	27,39,529	30,00,000	27,40,000	29,77,000	
Charges on account of Land Revenue collections ...	1,432	1,542	1,434	4,000	2,000	4,000	
Management of Government Estates—							
Collection of revenue ...	2,39,981	2,62,610	2,86,623	2,51,000	2,45,000	2,33,000	Estimate based on actual requirements.
Outlay on improvements ...	2,27,480	2,76,922	1,15,404	1,06,000	1,00,000	1,96,000	Estimate based on the percentage grant, with an addition of Rs. 40,000 for non-recurring improvements and Rs. 10,000 for the Hiranpur market.
Bonus	.....	.....	1,692	.....	.....	.....	
Total ...	4,67,461	5,39,532	4,03,719	3,57,000	3,45,000	4,29,000	Revised based on the actuals of the first nine months.

3.—Land Revenue—concluded.

Survey and Settlement—							
Controlling Office (survey) ...	5,895	5,772	3,533	.....	4,000	.....	
Other survey operations—							
Bengal Drawing Office ...	63,976	26,425	30,376	35,464	30,000	43,959	
Other operations ...	72,808	17,282	23,305	79,430	46,000	50,904	
Minor settlement operations	1,16,617	1,03,719	57,423	90,000	52,000	30,000	
Other ditto ...	1,43,772	75,760	1,29,416	1,06,736	1,07,000	28,922	
Refund to Imperial on account of survey and settlement of Government and temporary estates ...	....	.....	.....	6,000	6,000	6,000	
Bonus ...	...	..	67	...	.....	.....	
For rounding ...				2,57,620 +380		1,59,785 +215	
Total ...	4,03,067	2,28,948	2,43,120	2,58,000	2,45,000	1,60,000	Revised based on figures supplied by the Director of Surveys and Land Records. Budget based on actual requirements.
Land Records—							
Superintendence ...	36,872	96,918	37,569	26,000	40,000	26,000	
District charges ...	47,743	2,34,207	2,84,162	4,15,000	3,38,000	4,44,000	Budget includes Rs. 2,93,000 for bringing the record-of-rights in Orissa up to date, Rs. 19,627 for the reproduction of maps, and Rs. 88,000 for the maintenance of records in Orissa.
Land Registration charges ...	.....	.....	.....	.....	.....	16,000	
Bonus ...	..	.....	628	.....	.....	.....	
Total ...	84,615	2,71,125	3,22,359	4,41,000	3,78,000	4,86,000	Revised based on actuals and the figures supplied by the Director of Land Records.
				40,60,000		40,56,000	
Lump deduction as probable savings				60,000		70,000	
Grand Total ..	36,96,901	37,18,322	37,10,161	40,00,000	37,10,000	39,86,000	

6.—Stamps—

Heads.	1906-07. Actuals.	1907-08. Actuals.	1908-09. Actuals.	1909-10. Sanctioned estimate.	1909-10. Revised estimate.	1910-11. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8
Superintendence—	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Presidency Executive Establishment	.....	.....	.....	.....	.....	.....	Revised based on actuals of the first nine months. Budget based on anticipated requirements.
District Establishment ...	10,473	9,101	26,798	30,000	27,000	29,000	
Total ...	10,473	9,101	26,798	30,000	27,000	29,000	
Charges for the sale of general stamps—							
Discount on sale of unified stamps	216	.....	.....	.....	.....	.....	
Discount on sale of bills-of-exchange or hundies ...	5,162	5,350	3,810	5,000	3,000	4,500	
Discount on sale of other general stamps ...	1,12,734	1,15,116	1,16,698	1,21,000	1,14,000	1,19,500	
Total ...	1,18,112	1,20,466	1,20,508	1,26,000	1,17,000	1,24,000	
Charges on sale of court-fee stamps—							
Discount on sale of adhesive stamps	66,879	67,855	70,610	75,000	75,000	75,000	
Discount on sale of stamps for copies	7,123	6,211	5,660	6,000	6,000	6,000	
Establishment for sale of stamps	1,611	2,662	1,297	1,464	1,000	1,464	
For rounding ...				—464		—464	
Total ...	75,613	76,728	77,567	82,000	82,000	82,000	
Discount on plain paper ...	11,832	11,830	11,877	12,000	13,000	12,000	
Stamp paper supplied from Central Stores	1,91,990	1,91,829	2,26,639	2,55,000	2,31,000	2,57,000	Both the revised and budget are based on the figures supplied by the Controller of Stamps.
Grand Total ...	4,08,020	4,09,954	4,62,389	5,05,000	4,70,000	5,04,000	
Provincial share	2,04,010	2,04,977	2,31,194	2,52,000	2,35,000	2,52,000	

I.—Excise—

Superintendence	85,184	83,823	84,347	90,000	87,000	93,000	Includes Bengal Share of the pay of Distillery Expert recently sanctioned.
Presidency Establishment—							
Calcutta Collectorate (office)	63,118	61,168	40,080	40,958	39,200	41,268	
Inspection and Prevention ...	22,782	25,280	22,266	20,712	20 400	21,744	
Allowances and contingencies	21,145	22,283	24,511	25,872	25,400	24,181	
				87,552		87,193	
For rounding ...				—552		—193	
Total ...	1,07,045	1,08,731	86,857	87,000	85,000	87,000	
District Executive Establishment—							
Sadar Establishment ...	1,10,267	1,10,466	1,11,640	1,37,580	1,17,000	1,16,970	Budget for 1909-10 included a lump provision of Rs. 25,000 for the revision of the establishment, which has not yet been sanctioned. No provision for this has been made in the budget for 1910-11.
Inspection and prevention	1,90,302	1,93,235	2,03,624	2,31,592	2,08,000	2,27,724	Budget includes smaller provision for temporary establishment.
Allowances, etc. ...	1,22,891	1,42,246	1,60,279	1,58,673	1,64,000	1,51,600	Budget includes smaller provision for grain allowance, while larger provision has been made for travelling allowances.
Bonus	...	.. ...	2,947	.....	.. ..	.....	
				6,27,845		4,96,294	
Probable savings ...				—28,845		—1,294	
	4,23,460	4,46,947	4,78,490	4,99,000	4,89,000	4,95,000	
Distilleries—							
Presidency establishment ...	10,650	11,660	11,885	14,000	12,000	—13,000	
District establishment ...	1,16,781	1,22,988	1,23,586	1,40,000	1,72,000	1,95,000	Budget includes Rs. 15,000 for the increase in the pay of ministerial officers, and Rs. 32,000 for temporary establishment in connection with the extension of the contract distillery system in the districts of the Patna and Tirhut Divisions. Revised includes larger expenditure on petty construction and repairs in connection with the construction of warehouses in Bihar.
Bonus ...	..	...	372	. ...	.	. ...	
Grand Total ...	7,43,120	7,73,049	7,85,537	8,30,000	8,45,000	8,83,000	Revised based on nine months' actuals.
Provincial share ..	3,71,560	3,86,524	3,92,768	4,15,000	4,22,000	4,42,000	

9.—Provincial Rates—

Heads.	1906-07. Actuals.	1907-08. Actuals.	1908-09. Actuals.	1909-10. Sanctioned estimate.	1909-10. Revised estimate.	1910-11. Budget estimate.	Remarks.
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Collection of rates and cesses...	1,56,311	1,19,062	1,26,370	1,35,000	1,30,000	1,71,000	Budget includes Rs. 48,000 for the increase in the pay of ministerial officers.
Valuation and revaluation ...	91,136	80,323	30,395	36,000	31,000	42,000	Do. based on actual requirements.
Total ...	2,47,447	1,99,375	1,56,765	1,71,000	1,61,000	2,13,000	
Deduct—Proportion debitable to Local for cost of road-cess collection ...	1,65,468	1,46,504	1,09,452	90,000	1,08,000	1,14,000	
„ —Proportion debitable to Local for revaluation				24,000		28,000	
„ —One-third share of recoveries on account of collection of arrear cesses	19,321	1,092	589	1,000	1,000	1,000	
„ —Contribution for pension of the cess-collecting establishment ...	6,874	6,697	6,639	7,000	7,000	7,000	
Add—Grant to District Road Funds as Government share of the cost of collecting public works cess and revaluation charges	.....	.....	1,344	1,000	1,000	1,000	
Total ...	55,784	45,282	41,429	50,000	46,000	64,000	

10.—Assessed Taxes—

Calcutta Establishment ...	86,907	85,050	89,635	93,000	89,000	91,000	Budget for 1909-10 included a lump provision of Rs. 3,000 for the revision of establishment, which has not been sanctioned. No provision has been made on this account in the budget for 1910-11.
District ditto ...	63,323	68,011	69,686	71,000	66,000	72,000	
Bonus	.....	.....	682	.....	.....	.....	
Total ...	1,50,230	1,53,061	1,60,003	1,64,000	1,55,000	1,63,000	
Provincial share ...	75,115	76,531	80,002	82,000	78,000	82,000	

A.—Conservancy and Works.							
I.—Timber and other produce removed from the forests by Government agency ...	28,589	16,672	8,072	7,700	7,100	7,200	
II.—Timber and other produce removed from the forests by consumers and purchasers	91,985	96,646	94,775	98,500	96,300	1,00,000	
III.—Confiscated drift and waif wood	620	1,742	804	1,300	1,300	1,300	
V.—Rent of leased forests, and payment to shareholders in forests managed by Government	27,090	5,300	5,227	6,000	.....	20,000	This is for payment to the Raja of Porahat on account of the profits of the Porahat forests.
VI.—Live-stock, stores, tools and plant ...	14,529	26,079	41,353	9,300	13,400	16,000	Budget includes provision for a new steam-cutter for the Sundarbans.
VII.—Communications and buildings ...	76,116	70,736	54,347	77,900	70,400	98,800	Budget includes provision for the completion of the Forest School building at Kurseong, for the construction of a rest-house near the Ghish river in the Tista Division, for a house for the Divisional Forest Officer, Chaibassa, and a new Forest office, Sambalpur.
VIII.—Demarcation, improvement and extension of forests ...	82,645	1,71,109	70,717	44,900	50,600	54,100	
IX.—Miscellaneous ...	7,426	4,322	4,089	6,400	5,400	5,600	
Total A.—Conservancy and Works	3,27,940	3,95,606	2,79,384	2,51,000	2,44,500	3,02,000	
B.—Establishment.							
I.—Salaries	2,13,241	2,46,749	2,33,092	2,61,500	2,68,800	2,93,200	Budget includes provision for the full sanctioned scale of superior officers and establishment, and for the reorganization of the office establishment.
II — Allowances ..							
III.—Contingencies ...	48,836	60,709	61,094	62,800	56,000	57,000	
	12,472	10,331	10,411	11,700	11,700	12,800	
Total B.—Establishment ...	3,04,549	3,17,789	3,04,597	3,36,000	3,36,500	3,63,000	
Total A and B ...	6,32,489	7,13,394	5,83,981	5,87,000	5,81,000	6,65,000	Revised based on the actuals of the first nine months.
Provincial share ...	3,16,244	3,56,697	2,91,991	2,93,000	2,90,000	3,32,000	

12.—Registration—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Superintendence	48,863	47,180	51,628	51,000	54,000	51,500	
District Charges—							
Calcutta	30,644	30,923	30,256	32,000	30,000	30,000	Budget includes smaller provision for temporary establishments and grain allowance.
District Sub-Registrars ...	1,60,305	2,50,937	2,01,918	1,83,000	1,89,000	1,57,500	
Sub-Registrars	4,01,003	4,21,880	5,24,730	5,56,000	5,06,000	5,71,500	Budget includes provision for a larger number of Sub-Registrars and for additional temporary establishments, with reference to probable requirements.
Ex-officio Sub-Registrars ...	1,872	1,233	2,907	2,000	2,000	2,500	
Bonus	.....	.....	3,528	.....	.....	.....	
Total District Charges ...	5,93,824	7,04,973	7,63,339	7,73,000	7,27,000	7,61,500	
Grand Total ...	6,42,687	7,52,153	8,14,977	8,24,000	7,81,000	8,13,000	Revised based on the actuals of the first nine months. Savings are expected under grain allowance and contingencies.

13.—Interest on Ordinary Debt—

Interest on Provincial Advance and Loan Account ...	2,36,226	3,02,281	4,92,409	6,92,000	6,21,000	5,68,000	Both the revised and the budget are based on the estimated mean outstanding balances of loans.

18.—General Administration—

Salary of Lieutenant-Governor	1,01,341	96,116	96,663	96,000	96,000	96,000	
Staff and household of Lieutenant-Governor	1,19,844	1,29,591	1,16,508	1,05,000	1,15,000	1,09,000	Revised includes Rs. 10,000 for the cost of furnishing a new guest-house erected in the compound of Government House, Darjeeling.
Tour and establishment grant of Lieutenant-Governor ...	50,000	59,182	68,107	50,000	50,000	50,000	
Tour expenses	1,927	4,128	761	3,000	1,000	2,000	
Legislative Department ...	76,693	80,273	96,262	1,07,000	1,02,000	1,29,000	Budget includes a lump provision of Rs 12,000 for the additional establishment required in connection with the enlargement of the Council, and also larger provision for travelling allowances owing to the increased number of non-official members.
Civil Secretariat	6,13,470	6,38,266	6,30,609	6,58,000	6,36,000	6,66,000	Savings in the revised is under "Allowances and Contingencies". Budget includes Rs. 32,000 for the reorganization of the Secretariat offices, and Rs. 22,000 for temporary establishment in the record-room for copying old records for the Secretary of State, and for arranging the record-room. It also includes larger grants for establishment in the Bengali Translator's office for the translation of Acts, etc., for the Legislative Department of the Government of India.
Lump provision for Executive Council	.....	.....	...	.....	8,000	2,00,000	
Board of Revenue	3,13,933	3,08,648	3,14,891	3,04,000	2,89,000	2,48,000	Savings in the revised is under "Establishment" and "Allowances." A saving of Rs 50,000 has been taken in the budget owing to impending changes.
Commissioners	5,13,084	4,73,721	4,93,535	5,08,000	5,25,000	5,07,000	The increase in the revised is due to larger payments of salaries and contingencies against savings under "Establishment Charges."
Civil Offices of Account and Audit	47,846	83,618	89,558	1,01,000	97,000	95,000	
Lump Deduction ...	.....	.....	.....	19,32,000 22,000	...	.....	
Total ...	18,41,137	18,73,543	19,06,794	19,10,000	19,19,000	21,02,000	Revised based on the actuals of the first nine months.

79A.—*Courts of Law*—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
High Court—							
Judges	7,15,119	7,17,422	7,50,808	7,53,000	7,20,000	7,53,000	The full sanctioned staff has been provided for.
Original Side	2,73,431	2,73,333	2,78,408	2,78,000	2,89,000	3,12,000	Budget includes provision for a Registrar of Insolvency and his establishment and for larger grant for municipal taxes owing to increase of assessment.
Appellate Side	2,78,963	2,91,115	3,00,795	3,08,000	3,09,000	3,17,000	Budget includes provision for temporary establishment for an Additional Judge and for the sorting, etc, of the judicial records of the Court.
Copyists' Establishment ...	51,768	43,414	41,903	44,000	47,000	46,000	
Reporters	24,972	26,185	24,892	25,000	25,000	25,000	
Bonus	.....	.....	1,631	.....	.....	.....	
Total ...	13,44,253	13,51,469	13,98,237	14,08,000	13,90,000	14,53,000	
Law Officers—							
English Law Officers ...	93,658	1,41,765	1,29,330	1,38,000	1,28,000	1,33,000	Decrease in the budget is on account of smaller provision for charges for conducting law suits.
Legal Remembrancer and High Court Pleaders ...	89,777	1,28,541	2,61,029	1,70,000	3,16,000	1,52,000	The increase in the revised is due to the larger payments of fees to Pleaders and Counsel in the High Court. Budget includes provision for the salary, travelling allowances and contingencies of the Lady Legal Adviser to *purdanashin* ladies.
Mufassal Establishment ...	2,21,200	1,85,115	6,42,432	2,00,000	3,70,000	2,25,000	The increase in the revised is for special charges in connection with the prosecution of anarchist cases.
Bonus	.....	.....	116	.....	.....	.....	
Total ...	4,04,635	4,55,421	10,32,907	4,08,000	8,14,000	5,10,000	Budget based on normal probable requirements, excluding special unforeseen charges.
Coroner's Court	7,839	7,566	7,797	8,000	8,000	8,560	
Presidency Magistrates—							
Calcutta Police Court ...	1,07,908	1,18,015	1,15,721	1,09,000	1,13,000	1,11,000	Budget includes provision for the house allowances of the Officiating Chief Presidency Magistrate and the 2nd Presidency Magistrate.
Municipal Magistrates ...	647	6,513					

							his establishment.
Subordinate Judge ...	4,41,962	4,33,972	4,33,449	4,23,892	4,26,000	4,24,690	
Mufassal Small Cause Courts	18,184	17,238	16,420	13,128	16,500	12,864	
Munsifs	10,28,165	10,26,466	10,42,673	10,19,106	10,13,000	10,14,608	The budget for 1909-10 included provision for the regrading of Munsifs, which has not been sanctioned.
Allowances	93,965	1,23,723	98,033	1,10,000	68,000	63,600	The decrease is due to a smaller provision under grain allowances.
Supplies and Services ...	2,76,985	2,96,791	3,16,960	3,09,292	3,80,000	3,24,295	Larger remuneration to copyists and for a special provision of Rs. 10,000 for the purchase of fire extinguishing appliances for Civil Courts.
Contingencies	91,775	95,755	1,05,157	1,06,315	1,23,000	1,15,997	Budget includes a larger grant for rents, rates and taxes, special provision of Rs. 1,200 for the purchase of an iron safe for the District Judge, Burdwan, and an additional grant for contingencies for the District Judge, Sambalpur.
Process-serving Establishment...	4,54,542	4,73,500	5,08,417	5,09,262	4,88,500	4,76,314	
Lump provision for the increase of the pay of ministerial officers	.....	.....	... ..	.....	25,000	1,50,000	Budget includes one lakh for 1910-11 and Rs. 50,000 for arrears of 1909-10.
Bonus	.....	.....	17,789	.....	... ..	.....	
Deduct—Probable savings ...	.....	.... .	.....	(—)18,617	...	(—)6,113	
Total ...	33,70,706	33,28,565	33,99,408	33,53,000	34,30,000	35,07,000	
Presidency Court of Small Causes	1,71,625	1,68,628	1,68,747	1,72,000	1,69,000	1,72,000	
Criminal Courts—							
General establishment ...	18,26,436	18,50,339	19,63,055	19,50,000	19,84,000	20,14,000	Budget includes provision for eight new Joint Magistrates by promotion of Assistant Magistrates and Additional Deputy and Sub-Deputy Collectors. Also larger provision for establishments and for rewards to sardars in the Khondmahals and sarbarkars in Angul.
Subdivisional establishment ...	1,08,252	1,13,627	1,17,695	1,16,000	1,17,000	1,12,000	
Process-serving establishment	99,560	1,01,114	1,02,526	1,06,000	98,000	1,27,000	Half of the total charge is debited here instead of two-fifths as previously.
Tributary Mahals, Orissa ...	1,472	1,815	1,230	... ..	1,000	.....	
Lump provision for the increase of the pay of ministerial officers	.....	.....	.....	.....	25,000	1,50,000	Budget includes one lakh for 1910-11 and Rs. 50,000 for arrears of 1909-10.
Bonus	.....	.....	2,556	.....	...	.....	
Total ...	20,35,720	20,66,895	21,87,062	21,72,000	22,25,000	24,03,000	
Pleadership Examination charges	13,338	13,098	15,363	14,000	15,000	18,000	
Refunds	53,285	55,233	50,534	55,000	1,31,000	53,000	Revised includes the refund of Rs. 57,000 paid to the Calcutta Corporation of the amount recovered from that body on account of the cost of the establishment and contingencies of the Municipal Magistrate's Court from April 1901 to December 1907, and provision for the larger refunds of criminal fines.
Lump provision for the increase of the pay of ministerial Establishments	.....	... ..	.. ...	2,40,000	.....	... ..	Provided for under respective minor heads.
				80,07,000	.....	.....	
Lump deduction for probable savings	.....	.....	.....	87,000	...	(—)500	
Total ...	74,09,966	75,61,397	83,75,876	79,20,000	83,04,000	82,43,000	

13B.—Jails—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Superintendence	57,840	59,887	59,300	57,000	52,000	58,000	Saving in the revised is on account of the appointment of an officer as Inspector-General on less pay. Budget includes Rs. 2,000 for the revision of establishment.
Establishments—							
Superintendents and Jailors ...	1,89,553	1,86,628	2,03,953	2,07,000	2,26,000	2,31,000	Increase due to the reorganisation of the Jailors' Service.
Medical establishment ...	30,522	30,760	32,654	30,000	29,000	31,000	
Clerical, educational and mechanical establishments	220	456	344	6,000	5,000	19,000	Increase due to the provision of establishments to relieve Medical Officers of clerical work.
Warder establishment ...	1,64,290	1,68,366	1,92,657	2,08,000	2,21,000	2,28,000	Budget includes provision for extra warders in Central and District Jails, as well as for the appointment of circle reserve guards.
Menial and other establishments	10,322	10,479	9,144	11,000	7,000	6,000	The decrease is due to a smaller provision for temporary establishment.
Dietary charges	7,56,490	7,82,701	8,45,741	7,48,000	8,03,000	7,55,000	Provision made for an increased number of prisoners.
Hospital charges	67,698	72,444	75,142	72,500	70,000	80,000	Estimate based on local requirements.
Clothing and bedding of prisoners	84,991	76,455	87,577	68,000	90,000	85,000	
Sanitation charges	28,290	36,529	36,650	33,600	34,000	37,000	
Charges for moving prisoners ...	44,336	38,814	50,337	43,000	52,000	50,000	Estimates based on actuals.
Miscellaneous services and supplies	1,06,134	87,186	1,12,129	1,35,800	1,17,000	1,15,000	
Allowances	27,506	37,876	39,217	38,000	33,000	21,000	Smaller provision made for grain allowance.
Contingent charges ...	34,091	36,394	43,313	37,000	54,000	56,000	Increase due to provision for the new Juvenile Jail and larger grants for rates and taxes on Central Jails.
Extraordinary charges for live-stock and tools and plant ...	41,780	23,186	33,571	29,000	27,000	34,000	Estimate based on local requirements.
Charges for police custody ...	13,397	14,905	21,998	16,000	21,000	22,000	Estimate based on actuals.
Bonus	.....	...	4,369	.....	.....	.....	
Lump provison for the new Presidency Jail	...		.....	.....	69,000	1,39,486	
For rounding ...	.....		..	+100	...	—486	
Total Jail ...	16,27,400	16,63,066	18,45,996	17,39,000	19,10,000	19,66,000	
Jail manufactures	10,36,024	10,33,786	9,24,423	9,61,000	8,90,000	9,05,000	The decrease is in proportion to the decrease under "Receipts."
Refunds	12	100	4	.....	.....	... ...	
Total ...	26,63,436	26,96,952	27,70,423	27,00,000	28,00,000	28,71,000	Revised based on the actuals of the first nine months.

Presidency Police—							
Police Commissioner (Superintendence)	68,330	66,995	77,664	73,000	87,000	97,000	Increase is due to the appointment of two additional Deputy Commissioners of Police, two posts of Superintendents being simultaneously abolished.
Calcutta Police	9,74,221	9,91,261		10,65,000		11,26,000	Budget includes a lump provision of Rs. 34,640 for additional Beat Police to be entertained in 1910-11 and Rs. 37,568 for the force already employed for the purpose during 1909-10.
Hospital charges ...	22,038	32,970	11,04,079	30,000	11,77,000	32,000	
Special Police	51,082	16,007		40,000		41,000	
Cattle pounds	2,330	1,426		2,000		2,500	
River Police	14,624	2,615	34,214	22,000	18,000	22,000	
Salt Police	449	.....	.....	.....	.....	.....	
Police Dead-house ...	1,362	1,695	1,756	1,500	2,000	1,700	
Bonus	.....	.....	9,129	.....	.....	.....	
For rounding ...	.....	.....	.....	—500	.....	—200	
Total ...	11,34,376	11,12,959	12,26,772	12,33,000	12,84,000	13,22,000	
Municipal Police	54,605	65,793	7,410	.....	.....	.....	This is now included under "District Police Force."
Superintendence	2,28,772	2,29,127	3,08,908	2,28,000	2,45,000	2,26,000	Increase in the revised is for the appointment of officers on special duty. The decrease in the budget is under "Hill journey allowances."
District Police Force—							
Salaries	4,61,750	4,78,864	5,38,400	5,80,000	5,82,000	6,04,000	Increase due to the promotion of District Superintendents and Deputy Superintendents and also for six new Assistant Superintendents.
Police Force	30,27,830	31,93,949	33,79,063	34,95,000	34,32,000	36,20,000	Budget includes provision for the recruitment of two armed inspectors, 30 sub-inspectors and for an increment of a rupee to 9,850 constables.
Training Schools	1,47,147	1,27,283	1,37,290	1,40,000	1,29,000	1,36,000	Decrease due to transfer to District Police Force.
Establishment	1,08,372	1,09,399	1,11,380	1,52,000	1,46,000	1,40,000	
Hospital charges	42,451	45,632	50,185	48,000	54,000	48,000	
Allowances	5,27,688	8,24,968	8,61,780	9,00,000	6,84,000	7,26,000	The decrease is for smaller provision for grain allowance.
Supplies and services ...	5,81,444	5,23,948	5,94,772	4,87,000	5,95,000	6,51,000	Budget includes provision of Rs. 58,500 for a new steam-launch and larger provision for the construction of quarters for sub-inspectors.
Contingencies	1,72,131	1,78,897	2,00,028	2,55,000	2,00,000	2,53,000	
Other Police	28,380	26,062	39,917	12,000	53,000	16,000	Revised includes special police in the 24-Parganas.
Bonus	.....	...	43,963	.....	.....	.....	
Lump provision for reorganisation	...	.....	.....	2,65,000	.....	28,000	The budget allotment for 1909-10 has been reappropriated to meet the charges of the Criminal Investigation Department II, and the Beat Police, Calcutta. The balance has been utilized to meet increases under "Salaries" and "Force of the District Police" and "Petty construction and repairs."
Total ...	50,97,193	55,09,002	59,56,768	63,34,000	58,71,000	62,22,000	

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Village Police	40,949	41,453	46,073	47,000	43,000	45,000	
Criminal Investigation Department	73,848	1,20,918	1,73,604	1,92,000	2,53,000	3,19,000	Increase due to the reorganisation of the Criminal Investigation Department.
Special Police—							
Bengal Military Police ...	55,761	60,955	62,468	64,000	62,000	64,000	
Sikkim State Police ..	1,800	.....	.....	... ..	.....	.....	
Upper Burma Police Depôt ...	4,841	8,987	5,514	6,000	6,000	6,000	
Bonus	.....	... ..	659	.....	.....	.....	
Total ...	62,402	69,942	68,641	70,000	68,000	70,000	
Railway Police—							
East Indian Railway Police ...	62,542	74,496	89,812	99,000	83,000	99,000	
Eastern System Railway Police	1,18,672	1,29,676	1,00,396	1,18,000	1,10,000	1,10,000	No provision made for any additional force, while smaller provision has been made for grain allowance.
Bengal and North-Western and Tirhut State Railway Police	13,933	17,352	21,131	25,000	22,000	28,000	
Bengal-Nagpur Railway ...	17,001	21,539	24,661	30,000	24,000	31,000	
Cooch Behar Police ...	—578	.....	.....	.....	.....	... .	
Oudh and Rohilkhund Railway Police	.....	3	.....	.....	.....	.....	
Total ...	2,11,570	2,43,067	2,36,000	2,72,000	2,39,000	2,68,000	
Cattle-pounds	1,189	—161	1,316	1,000	1,000	1,200	
Refunds	538	1,246	1,382	1,000	2,000	1,800	
Grand Total ...	69,05,442	73,93,346	80,25,874	83,78,000	80,06,000	84,75,000	Revised based on the actuals of the first nine months.

21.—Ports and Pilotage—

Salaries and allowances of officers and men afloat	75,511	85,985	1,10,760	92,000	1,00,000	93,000	
Victualling of officers and men afloat	27,104	25,278	31,350	34,000	32,000	33,000	
Purchase of marine stores and coal for the building, repairs and outfit of ships and vessels	1,31,077	1,49,993	1,48,452	1,70,000	1,17,000	2,10,000	Budget includes Rs. 57,000 for the purchase of new boilers for the S.S. *Guide*.
Purchase and hire of ships and vessels	9,770	21,542	10,30,794	28,000	9,000	20,000	The actuals of 1908-09 represented the cost of the second pilot steamer *Lady Fraser*. Revised represents the cost of towing the State yacht *Rhotas* during His Honour's river tour.
Pilotage and Pilot establishment	7,76,397	7,52,741	7,50,778	7,55,000	7,32,000	7,62,000	Budget provides for larger allowances to pilots in anticipation of increased shipping.
Marine establishment ...	1,02,049	1,08,996	1,20,990	1,07,000	1,02,000	1,15,000	Budget includes Rs. 1,505 for the house allowances of the Deputy Shipping Master and Assistant Port Officer, Rs. 955 for the house allowance of the Assistant Shipping Master, Kidderpore, and Rs. 4,305 for the house allowance of the Surveyor and Assistant Surveyors of steam vessels at Calcutta.
Subsidies to Steam-boat Companies	18,629	15,150	21,600	20,000	20,000	20,000	
Miscellaneous	24,996	27,938	39,263	29,000	27,000	31,000	Budget includes Rs. 2,000 for repairs to leadsmen's quarters. The actuals of 1908-09 included a special payment of Rs. 11,000 to the Orissa Ports Fund in order to make good the deficit.
State Yacht establishment ...	6,059	6,094	5,336	7,000	5,000	7,000	
Refunds	2,461	2,066	2,734	2,000	4,000	2,000	
Total ...	11,74,053	11,95,783	22,62,057	12,44,000	11,48,000	12,93,000	Revised based on the actuals of the first nine months.

2.—*Education*—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
University	80,754	93,103	98,469	.....	60,000	80,000	Both the revised and budget include the special grants sanctioned by the Government of India.
On account of Law College ...	.....	.....		4,000	24,000	3,500	Revised represents the special grant of Rs. 20,000 sanctioned by the Government of India for Law Colleges and of Rs. 3,500 from provincial revenues. Budget provides for the Local Government grant for Law Colleges
Direction	1,20,521	1,23,210	1,13,773	1,12,000	1,12,000	1,17,500	Budget provides for the additional establishment employed for the reconciliation of the figures of education expenditure.
Inspection—							
Inspectors of European schools	23,141	31,978	34,666	25,100	25,300	21,600	Budget for 1909-10 included provision for an Auditor of European Schools who will not be required in 1910-11.
Inspectors of other schools ...	4,41,561	5,95,280	7,30,683	6,91,000	7,50,000	7,91,000	Increase due to the appointment of additional inspectors with their establishment and contingencies and travelling allowances. Lump provision of Rs. 17,880 has been made for the regrading of the sub-inspectors transferred from District Boards to Government Service.
Lump provision for house allowance of Inspecting Officers in Calcutta ...	.....	.....	.....	1,500	.....	3,000	Provision made for two officers.
Inspector of hostels and students' messes ...	.....	.....	1,571	400	2,700	400	
Inspector of Technical School and of Industries ...	.....	.....	.....	.....	.....	17,000	Salary Rs. 12,000 and travelling allowance and establishment, etc., Rs. 5,000.
Bonus	.....	.....	3,542	.....	.....	.....	
Total ...	4,64,702	6,27,258	7,70,462	7,18,000	7,78,000	8,33,000	
Government Colleges, General—							
English Colleges—							
Arts Colleges for boys ...	3,77,383	4,45,902	4,76,152	4,44,000	3,99,000	4,70,000	The decrease in the revised is due to savings under "Salaries." Budget includes provision for additional professors, and for house allowance and local allowance of professors.
Ditto for girls ...	47,786	52,042	42,579	27,000	25,000	27,500	
Eden Hindu Hostel ...	33,169	33,908	33,541	35,000	32,000	34,000	
Provision for house allowance of professors in Calcutta ...	.....	.....	.....	4,000	.....	.....	
For strengthening the staff of Colleges	.....	.....	.....	45,000	45,000	87,000	
Oriental Colleges—							
Sanskrit College	48,263	45,926	38,170	33,000	30,000	23,000	Decrease in the budget is due to a smaller provision for the salary of the Principal, owing to the appointment of an officer on lower pay and to the omission of provision for improvement.
Calcutta Madrassa ...	53,074	52,891	37,293	51,000	14,000	43,000	Saving in the revised is owing to the adjustment of the charges of the Arabic Department under "Schools—General." Budget includes smaller grant for salaries, since the present Principal does the work in addition to his own duties on an allowance of Rs. 150 per month.
...	4,112	4,683	4,559	5,000	5,000	4,892	

Total ...	5,88,683	6,35,852	6,32,706	6,45,000	5,50,000	6,82,000	
Government Colleges, Professional—							
Law Colleges	3,840	3,433	714	20,000	20,000	25,000	Budget includes Rs. 5,000 for improvements in the library of the Patna College.
Civil Engineering College, Sibpur, Howrah ...	2,71,514	3,28,113	3,40,334	3,40,000	3,33,000	3,15,000	No provision has been made for a Mining course and Mining models, while the grant for boarding charges has been reduced from Rs. 42,000 to Rs. 34,000. The saving in the revised is under boarding charges.
Training Colleges for teachers	3,188	4,464	43,294	53,000	52,000	44,000	Budget based on actual requirements.
Bonus	.....	.....	239	.....	.....	.....	
Total ...	2,78,542	3,36,010	3,89,581	4,13,000	4,05,000	3,84,000	
Government Schools, General.							
District School Committees ...	1,772	1,824	1,850	1,900	2,000	1,800	
Secondary Schools—							
For Boys—							
High Schools	4,01,991	4,01,116	441,393	4,91,500	4,70,000	4,87,000	
Middle English Schools ...	89,215	93,162	96,050	96,000	90,000	97,600	
Middle Vernacular Schools	10,189	23,040	11,600	12,800	11,000	11,400	
Anticipated expenditure from interest and surplus funds of the Uttarpara Net-grant School	.....	.....	.....	2,372	.....	190	
For Girls—							
High Schools	.....	.....	12,844	29,000	25,000	24,000	Smaller expenditure for salaries and boarding charges. The actuals of 1906-07 and 1907-08 were shown under Government Colleges—General, Bethune College.
Middle English Schools ...	59,093	61,633	57,504	57,000	55,000	54,300	Smaller provision for boarding charges.
Middle Vernacular Schools	.....	.....	32	...	.....	.....	
Primary Schools—							
For Boys—							
Upper Primary Schools ...	.....	5,506	4,759	2,900	3,000	3,200	
Lower Primary Schools ...			296				

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	9
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Primary Schools—*concld.*							
For Girls—							
For subsidizing model Primary Schools ...	4,253	.....	.....	24,000	.....	26,400	
Upper Primary Schools ...		.....	2,868	4,000	8,000	4,700	
Lower „ „ ...		...	3,709	8,900	12,000	11,000	Budget includes larger grant for supplies and services.
Circle School grant ...	12,873	14,917	15,464	14,300	14,000	15,400	
Payment in support of local schools under District Boards	.....	.....	5,72,818	5,45,000	5,80,000	5,89,000	This represents the grant to District Boards to establish equilibrium.
Bonus	.....	.....	3,930	.....	.....	.....	
Training of gymnastic masters	.....	.....	.....	3,000	.....	3,000	
Encouragement of Athletic Clubs	.....	.....	.....	1,500	.....	2,500	
Provision for the opening of B and C Classes in certain High Schools	.....	.....	.....	10,000	.....	10,000	
Agriculture classes ...	3,360	.....	.....	.....	.....	.....	
Petty construction, furniture and apparatus	10,084	..	.....	.....		.....	
				13,04,172		13,41,490	
For rounding ...	.....	.....	.....	—15,172	.....	—490	
Total ...	5,92,829	6,00,598	12,25,107	12,89,000	12,70,000	13,41,000	
Government Schools, Special.							
Training Schools—							
For Masters—							
Normal Schools ...		2,05,332	2,30,214	78,000	76,000	81,100	Increase is due to the payment of larger stipends in first grade schools, and to larger grants for rates and taxes.
Guru-training Schools ...		1,31,109	3,88,513	6,06,000	4,54,000	4,79,000	Decrease in the revised is owing to reduced expenditure on the construction of Guru-training school buildings. Budget includes provision of one lakh for the completion of the buildings under construction, and smaller grant for stipends to pupils.
For Mistresses—							
Training School attached to Kurseong Boarding School		.....	9,673	12,000	12,000	13,800	
Training Schools for females at Bankipore and Calcutta	1,43,258	.....	.....	22,200	17,000	24,300	Bankipur Rs. 17,300, and Calcutta Rs. 7,000.
Allowance for School-masters' wives		.....	.....	2,500	1,500	2,500	
Zenana education by Central Gathering		1,445	4,593	4,500	6,000	3,500	Estimates based on actual requirements.
Female Teachers' house-to-house visitation ...		[illegible]	[illegible]	8,500	9,500	13,000	

Madrassas	20,649	20,406	36,216	6,300	39,000	6,300	
Reformatory School ...	83,556	91,529	1,01,034	1,08,000	1,06,000	1,15,500	Includes provision for an increased grant for dietary charges.
Other miscellaneous schools ...	... ...	.....	1,079	14,316	2,000	14,976	
Agricultural classes and agricultural gardens	.....	4,189	5,116	9,000	2,000	9,000	
Grant for Muhammadan Female education in Patna ...	. .	.....	.	2,000	...	2,000	
Grant for Athletic Clubs ...	.....	.....	.....	500	.....	500	
Petty construction, furniture and apparatus	53,399	.....	..			..	
Bonus	....	.....	2,254	...		... ..	
				10,77,116	.....	9,62,676	
Deduct—Probable savings ...	.. ...	...	.....	76,116	.....	-676	
Total ..	3,97,670	5,46,328	8,93,001	10,01,000	8,68 000	9,62,000	
Grants-in-aid	10,60,973	13,33,148	11,18,071	11,00,000	11,73,000	11,80,000	
Scholarships	1,55,910	1,71,211	1,86,054	1,86,000	2,08,000	2,00,000	Budget includes a provision for the title course in the Calcutta Madrassa and for new English scholarships in the Calcutta and Hooghly Madrassas, and special scholarships to Uriyas.
Miscellaneous	1,06,647	83,293	98,696	1,04,000	1,02,000	1,81,000	Budget includes provisions of Rs 1,080 for the rent of a house taken for a hostel for Uriya B.L students and for allowances to the Superintendent, of Rs. 2,000 for the preparation of a manual for muktabs and translation of text-books in the aboriginal vernaculars, of Rs. 2,700 for allowance &c., to the Advisory Committee for Indian students, of Rs 10,500 for allowances to Medical Officers attending hostels and other educational institutions by transfer from Medical, of Rs. 15,500 for the preparation, translation and editing of Government model text-books for vernacular schools, and of Rs. 9,200 for the preparation, translation and editing of science text-books.
Refunds	4,819	3,081	2,806	3,000	2,000	3,000	
	4		.....	55,74,000	.. ...	59,17,000	
Lump deduction as probable savings	.....	.....		17,000	.....	.....	
Total ...	38,60,750	45,53,592	55,28,726	55,67,000	55,50,000	59,17,000	

24.—*Medical*—

Medical Establishment—							
Superintendence ...	71,002	69,416	68,793	76,000	75,000	76,000	
District Medical establishment	4,97,071	4,95,683	4,80,952	5,50,000	4,81,000	5,65,000	Decrease in the revised is due to the non-utilization of the lump provision of Rs. 50,000 for the improvement of the pay of Civil Medical Assistants. Budget includes Rs. 32,520 on this account and Rs. 41,000 for the improvement of the prospects of Assistant Surgeons.
Reserve Medical Officers and Subordinates	17,427	11,809	15,891	20,000	12,000	18,000	
Bonus	.....	.....	823	... ..	.....	.....	
Total	5,85,500	5,76,908	5,46,459	6,46,000	5,68,000	6,59,000	

24.—*Medical*—concluded.

Heads.	1906-07.	1907-08.	1908 09.	1909-10.		1910-11.	Remarks.
	Actuals	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Hospitals and Dispensaries—							
Presidency Hospitals and Dispensaries—							
Medical College Hospital ...	2,11,519	2,41,498	2,72,557	2,70,000	2,67,000	3,46,000	Budget includes provision for the additional establishment and equipments required for the new Surgical Block and also for Chuni Lal Seal's Dispensary of which the charges have for the first time been included here.
General Hospital ...	2,25,131	2,16,924	2,24,496	2,45,000	2,38,000	2,52,000	Saving in the revised is under "Supplies and Services." Budget includes a larger grant for taxes owing to enhanced assessments.
Campbell Hospital ...	92,900	93,321	1,06,233	1,13,000	1,27,000	1,30,000	The increase in both the revised and budget is due to the inclusion of the pay of the Deputy Superintendent here instead of under "Medical Schools" and to a larger establishment for the small-pox ward. The increase in the budget is also due to larger grants for clothing, and cost of electric current.
Albert Victor Asylum for Lepers	22,027	23,812	29,842	30,000	31,000	32,000	The increase is due to larger grants for the diet of patients.
Mufassal Hospitals and Dispensaries... ...	56,132	68,390	82,207	86,000	84,000	67,000	The decrease in the budget is due to larger recoveries from Municipalities and District Boards for officers lent to them and to the transfer of the charge for allowances to officers attending Government hostels and educational institutions to the head "Education."
Grants to Mufassal Hospitals and Dispensaries ...	1,62,678	1,41,792	1,27,715	1,55,500	1,28,000	1,21,500	Saving in the revised is due to the non-utilization of the whole amount provided for unforeseen requirements. The decrease in the budget is due to smaller provision for new grants.
Medical charges in connection with the Inland Labour Transport Fund ...	.....	.....	205	1,500	1,000	1,500	
Bonus	.....	.....	2,041	.....	.....	.....	
Total ...	7,70,387	7,85,637	8,44,296	9,01,000	8,76,000	9,50,000	
Sanitation and Vaccination ...	2,32,052	2,32,797	2,51 854	2,80,000	2,58,000	2,33,000	The decrease in the revised is due to the non-utilization of the grant for the improvement of the Sanitary Department. No provision has been made in the budget for this. Budget includes provision for the Inspector of Septic Tank Installations, one Inspector of Vaccination and two Sub-Inspectors.
Grants for Medical purposes—							
Expenses during the prevalence of plague ...	31,724	38,347	64,326	90,000	35,000	48,500	
Expenses during the preva-							

Bonus	.....	.....	57	.. ...	.....	.....	
Total Grants for Medical purposes	84,464	89,368	64,569	1,00,500	38,000	50,000	Smaller grants to municipalities for plague preventive measures explain the decrease in both the revised and budget.
Medical Schools and Colleges— Medical Colleges ...	2,22,712	2,21,904	2,53,462	2,88,000	2,69,000	2,70,000	The decrease in the budget is due to no provision having been made for serological tests conducted by Major Sutherland who finished his enquiries in November 1909. Budget includes Rs. 2,000 for Beri-Beri enquiry.
Medical Schools ...	1,18,375	1,29,144	1,23,247	1,33,000	1,24,000	1,26,000	The decrease is due to the transfer of the pay of the Deputy Superintendent from here to the Campbell Hospital, and for smaller provision for scholarships.
Bonus	.....	.....	319	... ..	.....	.....	
Total ...	3,41,087	3,51,048	3,77,028	4,21,000	3,93,000	3,96,000	The decrease in the revised is mainly under "Salaries."
Lunatic Asylum	1,31,771	1,47,751	1,54,280	1,66,000	1,46,000	1,58,000	The saving in the revised is chiefly under "Salaries." The increase in the budget is due to larger grants for diet and clothing.
Special Hospital	11,143	11,671	11,805	13,500	12,000	13,500	
Chemical Examiner ...	38,312	45,303	55,798	66,000	47,000	57,500	The decrease in the revised is due to savings under "Salaries," owing to the appointment of officers on lower rates of pay, and a reduction in the number of probationers. Budget includes provision for one probationer.
Refunds	2,037	1,296	1,945	1,000	1,000	1,000	
Lump deduction for probable savings	.....	.....	...	25,84,000 64,000		... ...	
Total ...	21,96,753	22,41,779	23,28,034	25,20,000	23,39,000	25,16,000	

Budget for 1910-11.

25.—Political—

Political Agents	29,971	35,265	35,295	43,000	35,000	42,000	The decrease in the revised is owing to savings under establishment, allowances and supplies and services. Budget includes a special provision of Rs. 2,500 for the purchase of an elephant.
Entertainment of Envoys and Chiefs	.....	.....	.....	100	.....	100	
Durbar presents and allowances to Vakils, etc.	6,519	4,585	16,928	6,800	7,000	9,800	The actuals of 1908-09 included special payments in Calcutta.
Miscellaneous	4,758	7,233	181	6,100	4,000	7,100	

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Veterinary and stallion charges	1,16,412	1,65,750	1,69,095	1,92,000	1,62,000	2,04,000	The decrease in the revised is owing to smaller expenditure under "Supplies and Services of the Veterinary College" and savings in the pay of the subordinate staff.
Donations to Scientific Societies	36,000	10,870	11,855	12,000	12,000	11,600	
Experimental cultivation ...	3,24,682	3,38,173	3,77,003	5,00,000	3,41,000	3,89,000	The decrease in the revised is due to the transfer of the grant for fitting up the Agricultural College to the Public Works Department for expenditure by them, to savings in the grant for the home farm, gardens and hostels, etc., and to smaller payments on account of the contribution to the Bihar Indigo Planters' Association, and the deputation of officers on special duty. The Budget includes Rs. 25,000 for fitting up the College.
Cinchona plantation ...	2,21,963	2,07,976	2,61,497	2,80,000	2,66,000	4,27,000	Savings in the revised are due to smaller expenditure on materials. Budget includes two lakhs for the purchase of cinchona bark against Rs. 50,000 provided for in the Budget for 1909-10.
Public exhibitions and fairs ...	14,993	... ..	615	3,500	1,000	1,500	
Botanical and other public gardens	1,19,502	1,51,425	1,74,225	2,07,000	1,83,000	1,96,000	The decrease in the revised is due to smaller expenditure on account of the Zoological Gardens, and to the transfer of the charge of the Government House gardens, Calcutta, to the Military Department.
Emigration	22,107	20,467	22,245	23,000	22,000	22,000	
Inspector of Factories ...	24,802	26,489	26,823	50,000	33,000	46,000	The saving in the revised is due to the full provision for an additional Inspector and Medical officer not having been required, and to savings under "Allowances."
Census	1,466	1,492	1,398	1,600	1,500	1,700	
Gazetteer and Statistical Memoirs...	17,812	26,738	34,237	35,700	28,000	8,000	The saving in the revised is owing to the abolition of the Gazetteer office from the 1st September 1909. The Budget provides for the remunerations of the special officers who are writing the remaining Gazetteers.
Registration of railway traffic ...	7,063	7,877	9,372	17,000	10,000	13,000	
Ditto of river-borne traffic	3,132	6,352	3,005	4,700	3,000	4,500	
Provincial statistics ...	28,563	39,378	35,984	44,000	38,000	38,000	
Preservation and translation of ancient manuscripts ...	6,920	8,400	9,300	10,000	10,500	10,000	The budget for 1909-10 included provision for an Inspector for the supervision of frontier trade registration. No officer has been appointed and no provision is made in the Budget for 1910-11.
Examinations	1,356	1,026	466	1,500	1,000	1,000	
Inspector of Mines... ...	508	413	472	500	500	500	
Bacteriology	9,771	13,077	14,542	12,600	10,500	10,200	
Registrar of Co-operative Credit Societies	16,285	32,241	33,239	36,800	31,000	42,000	The saving in the revised is due to the absence of the Registrar on leave, during which the Personal Assistant acted for him. The Budget includes provision for 3 Auditors recently sanctioned.
Inland Labour Transport Fund	.....	.....	23,160	20,000	22,000	23,000	
Miscellaneous (Smoke Nuisance Charges)	.....	17,895	17,836	19,000	18,000	19,700	
Refunds	633	1,104	137	1,100	1,000	300	
Fisheries Department ...	.....	.....	.....	.....	.....	40,000	The Fishery Department was formerly under the charge of a special officer and debited to 32—Miscellaneous. It will now be placed under the Director of Agriculture and shown under this head.
Lump deduction as probable savings	.....	.....	.....	14,71,000	.....	15,07,000	
	.....	.....	.....	66,000	.....	75,000	
Total ...	9,73,964	10,76,142	12,26,466	14,05,000	11,89,000	12,32,000	

29.—Superannuation—

Superannuation and Retired allowances	24,34,509	25,55,207	25,91,845	27,05,000	26,85,000	27,76,000	Provision has been made for normal growth of expenditure.
Compassionate allowances ...	13,606	13,512	13,986	14,000	14,000	14,000	Budget based on actuals.
Gratuities	9,963	10,048	10,425	9 000	9,000	10,000	
Marine Department pensions ...	28,303	13,555	10,459	20 000	11,500	11,000	
Refunds	86	320	431	150	500	500	
Deduct—Probable savings	.....	.....	...	—150	.....	—500	
Total ...	24,86,467	25,91,642	26,27,146	27,48,000	27,20,000	28,11,000	Revised based on the actuals of nine months.

30.—Stationery and Printing—

Forms Department at the Presidency	63,563	60,811	57,771	65,000	51.000	59,000	The decrease in the revised is due to savings under "Establishment" and "Contingencies."
Stationery purchased in the country	33,584	33,140	33,646	35,000	33,000	34,000	
Government Presses ...	4,83,463	5,59,249	5,71,836	6,19,000	6,70,000	6,47,500	The saving in the revised is under piece establishment. The Budget includes a larger grant for overtime charges and for the purchase of machines.
Printing at Private Presses ...	2,715	660	931	1,500	21,000	21,000	Both budget and revised include Rs. 20,000 on account of the printing of the Indian Law Reports.
Stationery supplied from Central Stores	7.01,192	8.12,939	6,71,530	6,50.000	6,54,000	6,54,000	The decrease since 1908-09 is due to the non-printing of forms for Eastern Bengal and Assam.
Refunds	695	452	779	500	1,000	500	
Total ...	12,85,202	14,67,251	13,36,983	13,71,000	13,30,000	14,16,000	Revised based on the actuals of nine months.

38.—Miscellaneous—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Miscellaneous charges for the treatment of patients of the Pasteur Institute ...	.....	.....	54	.....	.....	.....	
Charges for search of hidden treasure	.....	.....	96	.....	.....	.....	
Khedda charges	13,863	11,166	11,000	16,000	14,000	12,000	
Travelling allowances to officers attending examinations ...	6,440	7,823	6,217	7,000	6,000	7,000	Budget based on actuals.
Reward for proficiency in Oriental languages, and allowance to the Language Examination Committee	12,955	13,580	7,804	14,000	9,000	10,000	
Cost of books and publications	600	597	611	1,000	1,000	650	
Donations for charitable purposes	1,51,675	1,34,806	1,67,965	1,70,000	1,38,000	1,23,000	The actuals of 1908-09 included a special grant of Rs. 30,000 for the Sailors' Home. The saving in the revised is due to the non-utilisation of the special provision for unforeseen requirements. The Budget includes no provision for new grants.
Charges on account of European vagrants	4,963	6,636	5,690	9,000	7,000	9,000	
Rewards for destruction of wild animals	5,764	7,556	9,980	8,000	9,000	8,000	
Petty establishments ...	2,814	14,413	16,590	46,000	31,000	41,000	The increase since 1909-10 is due to the inclusion of the salary and establishment of the Controller of Office Systems.
Special Commissions of Enquiry	86,982	1,38,116	1,68,263	1,85,000	1,14,000	20,000	The saving in the revised is due to reduced expenditure on the Fisheries Enquiry, owing to the sale of *Golden Crown* in December last, and the discharge of the men employed on the trawler. The Budget provides the usual lump sum for new Commissions of Enquiry if appointed. No provision has been made for the Fisheries Enquiry under this head.
Irrecoverable temporary loans written off	350	2,763	7,885	8,000	1,000	8,000	
Rent, rates and taxes ...	30,790	32,952	32,243	35,000	32,000	35,000	
Contributions	342	4,013	32,519	27,000	8,000	4,500	The budget for 1909-10 included a lump sum of Rs. 20,000 for grants to District Funds which has not been utilized. Smaller provision has been made for 1910-11 under guarantees of telegraph lines.
Miscellaneous and unforeseen charges	5,366	3,069	266	7,000	4,000	1,12,000	Budget includes a provision of Rs. 1,06,000 for unforeseen charges.
Miscellaneous refunds ...	16,776	12,994	97,851	9,000	9,000	9,000	The actuals of 1908-09 included special refunds on account of excess recoveries in connection with the Howrah and Rajapur Drainage advances.
Extraordinary items ...	950	766	4,955	...	.....	.....	
Allotment for petty grants by His Honour the Lieutenant-Governor	.....	.....	....	.....	.....	1,00,000	This allotment was previously provided for under "Civil Works in charge of Civil Officers."
				5,42,000		4,98,150	
Lump deduction as probable savings	.....	.....	.....	15,000		—150	
Total ...	3,46,620	3,91,254	5,69,379	5,27,000	3,83,000	4,98,000	

42.—Irrigation—Major Works—(Working Expenses)—

Productive Works—						
Orissa Canals	3,99,092	4,30,069	4,19,057	4,07,000	4,23,800	4,13,000
Midnapore Canal ...	1,61,123	1,84,291	2,12,361	1,88,000	1,94,000	1,85,800
Hijili Tidal Canals	51,493	40,783	46,676	50,000	50,000	46,000
Sone Canals	5,73,895	7,51,780	6,98,982	6,70,000	6,89,100	6,80,500
Dhaka Canal	3,304	18,268	20,071	29,000	24,318	24,700
Deduct—For rounding ..	.....	.....	.....	.....	—218	...
Total ...	11,88,907	14,25,201	13,97,147	13,44,000	13,81,000	13,50,000

43.—Irrigation—Major Works—(Interest on Debt)—

Interest	21,21,310	21,06,966	20,90,527	21,09,000	20,91,000	20,92,000	This is for interest payable to the Imperial Government on capital expenditure on Irrigation Major Works.

43.—Minor Works and Navigation—

IN CHARGE OF THE CIVIL DEPARTMENT.						
Embankments under the contract system—						
Establishments ...	5,121	5,094	5,158	5,939	6,000	5,879
Contingencies	552	1,548	—317	658	500	1,102
Maintenance charges of the Howrah and Rajapur drainages	4,146	4,197	5,551 143	1,736		1,925
Refunds	65	1,384	59	100	4,000	.....
Temporary establishment ...	4	... ..	.....	.....		.....
Travelling allowance ...	12	4	.....	25		25
Grain compensation allowance	311	453	523	450	500	198
Add—For rounding ...	.....	.....	.. ...	97	.....	—229
Total in charge of the						

43.—Minor Works and Navigation—concluded.

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs	
IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.							
Irrigation and Navigation Works.							
Works for which Capital and Revenue Accounts are kept.							
Capital.							
Works in Progress.							
Orissa Canals	18,824	35,532	44,376	91,000	79,500	43,000	This is for the raising of the flood bank of the Pattamundi Canal and for the construction of permanent outlets and new distributaries.
Midnapore Canal	1,414	638	2,529	.....	3,000	1,800	
Sone Canals	6,075	224	1,698	6,000	.....	6,000	
Calcutta and Eastern Canals ...	4,89,794	1,46,425	3,32,040	3,36,000	4,87,000	24,200	The revised includes one lakh for land charges in connection with the Ultadanga-Bamanghata Canal. The Budget provision is for the completion of the work.
Madaripur Bhil Scheme ...		1,34,489	1,39,346	3,45,000	3,46,000	3,42,000	
Saran Canals	.....	—426	.....	.....	....	.....	
Total Capital ...	5,16,137	3,16,883	5,19,989	7,78,000	9,14,500	4,17,000	
Revenue.							
Orissa Coast Canal	1,21,111	1,29,606	1,00,366	94,000	96,000	1,09,000	The Budget includes provision for special repairs and silt clearance.
Saran Canal	2,852	2,516	2,488	3,000	3,900	3,000	
Calcutta and Eastern Canals ...	4,42,877	4,46,366	2,84,433	4,09,000	3,68,000	4,79,000	The Budget includes provision for special repairs to the Chitpur lock and increase in the Engineering establishment, owing to smaller capital expenditure.
Madaripur Bheel Scheme ...			22,370	23,000	25,000	12,000	
Total Revenue ...	5,66,840	5,78,478	4,09,657	5,29,000	4,82,900	5,97,000	
Total Works for which Capital and Revenue accounts are kept ...	10,82,977	8,[illegible]	9,29,646	13,07,000	13,9[illegible]	14,[illegible]	

Nadia Rivers	1,46,046	1,13,269	1,15,405	1,11,000	1,03,700		
Gaighatta and Buxi Khals ...	100	9,706	8,426	500	450	1,500	
Total Works for which only Revenue accounts are kept	1,46,146	1,22,975	1,23,833	1,11,500	1,04,150	1,03,500	
Works for which neither Capital nor Revenue accounts are kept.							
WORKS IN PROGRESS.							
Eden Canal	31,869	31,113	16,167	29,400	28,800	27,000	
Madhuban (Teur) Canal ...	3,295	8,465	8,435	9,100	8,298	8,500	
Improvement of navigable channels—Ganges river ..	4,730	168	.....	.....	.....	40,000	This is for training works in the river Ganges.
Sugarcane irrigation by pumping in Bihar	13 672	—48	.....	.....	...	.....	
Surveys of protective irrigation works in the districts of Darbhanga and Hazaribagh ..	.....	... ...	3,922	.....	.....	... ..	
Total Works for which neither Capital nor Revenue accounts are kept	53 566	39,698	28,524	38,500	37,098	75,500	
Total Irrigation and Navigation Works	12,82,689	10,58,034	10,82,003	14,57,000	15,38,648	11,93,000	
AGRICULTURAL AND DRAINAGE WORKS.							
Works for which neither Capital nor Revenue accounts are kept.							
WORKS IN PROGRESS.							
Government embankments ...	5,42,166	7,19 569	8,05,311				
Midnapore Takavi embankments under contract	26,170	29,265	49,759	6,24,000	6,57,082	10,29,000	Budget includes Rs. 2,62,000 for establishment, Rs. 2,15,000 for flood dam repairs and Rs. 30,000 for the construction of a lock at Utterbagh in connect with the Magrahat drainage scheme.
Gandak Takavi embankments under contract	44,983	52,234	86,733				
Rajpur and Howrah drainage ...	10,724	18,122	8,250	.....	....	.....	
Magra Hat drainage project ...	.. ...	... .	.....	.....	.....	.. ...	
Total Agricultural ...	6,24,042	8,19,180	9,50,053	6,24,000	6,57,082	10,29,000	
Reserve	.....	.. ...	.....	50,000	7,252	50,000	
Deduct—For rounding ...	.. ...	.....	.....	.....	—52,982	.....	
... of the Public						23,73,000	

45—*Civil Works*—

Heads.	1906-07.	1907-08.	1908-09.	1909-10.		1910-11.	Remarks.
	Actuals.	Actuals.	Actuals.	Sanctioned estimate.	Revised estimate.	Budget estimate.	
1	2	3	4	5	6	7	8
	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	
In Charge of the Civil Department.							
Ferry charges	3,832	2,179	1,404	6,626	23,000	5,000	
,, refunds	28,696	25,376	23,748	27,000		26,000	
Staging bungalows ...	6,227	6,755	7,567	8,520	7,600	7,161	
Encamping grounds ...	1,166	624	291	1,216	500	816	
Contributions in aid of Excluded Local Funds and Municipalities	1,47,138	3,69,359	16,93,565	10,60,000	6,07,000	7,63,000	This includes 4½ lakhs for grants for sanitary improvements and one lakh for petty grants placed at the disposal of Divisional Commissioners. It includes Rs. 1,07,900 for realignment of drains in the neighbourhood of the new Presidency Jail.
Other charges	.....	.....	.....	2,000	.....	.....	
Contribution to District Funds and District Road Funds ...	.....	.....	.....	13,81,000	10,48,000	11,24,000	This includes Rs. 8,60,000 being the grant for the improvement of the financial position of District Boards, Rs. 60,000 for grants to feeder roads, Rs. 60,000 for grants to the Road Fund, Sonthal Parganas, and other petty grants.
For rounding ...	.....	.....	.....	—362	.....	+23	
Total in charge of the Civil Department	1,87,059	4,04,293	17,29,575	24,86,000	16,86,000	19,26,000	
In Charge of the Public Works Department.							
Original Works.							
Civil Buildings { In progress ... / Not commenced }	37,14,370	38,22,254	32,18,939	11,57,000 / 4,09,000	20,41,000	23,56,935	
Communications ... { In progress ... / Not commenced }	3,42,216	5,11,329	2,91,305	1,61,000 / 20,000	1,13,000	39,600 / 90,000	
Miscellaneous Public Improvements. { In progress ... / Not commenced }	1,82,236	2,96,528	76,570	16,000 / 3,000	26,000	8,300	
Total ...	42,38,822	48,20,111	35,86,814	17,50,000	[illegible]	24,94,835	

IN CHARGE OF THE PUBLIC WORKS DEPARTMENT—*concld.*						
Repairs.						
Civil Buildings	5,03,567	5,46,123	5,37,296	5,50,000	5,99,000	5,75,000
Communications ...	9,17,326	9,00,619	8,93,737	10,00,000	9,78,000	10,00,000
Miscellaneous Public Improvements	67,629	56,739	22,839	50,000	36,000	50,000
Total ...	14,88,522	15,03,481	14,53,872	16,00,000	16,13,000	16,25,000
Establishment	8,46,362	9,59,300	10,63,424	11,09,378	10,65,000	10,87,166
Tools and Plant	1,31,337	64,906	82,898	50,622	42,000	62,000
Stock and Suspense ...	—11,615	96,135	1,06,793	... ...	.....	... ..
Total in charge of Public Works Department	66,93,428	72,53,933	62,93,800	45,10,000	49,00,000	52,59,000
GRAND TOTAL ...	68,80,487	76,58,226	80,23,375	69,96,000	65,86,000	71,85,000

Contribution from Provincial to Local—

Land Revenue	69,000						This head has been abolished with effect from 1908-09.
Provincial Rates	.....						
Police	1,000						
Education	55,000						
Medical	10,000						
Scientific and other Minor Departments	4,000						
Miscellaneous	15,29,000						
Covering Deficit	.....						
Civil Works	6,55,000						
Famine Relief	3,12,000						
Reserve	.....						
Total ...	26,26,000	19,19,000					

APPENDIX C.

Receipts and Expenditure of District Funds and District Road Funds.

[The figures in columns 3 and 4 are those passed by the Commissioners of Divisions.]

RECEIPTS.

Heads of Receipts.	Actuals, 1908-09.	Revised estimate, 1909-10.	Budget estimate, 1910-11.	Remarks.
1	2	3	4	5
	Rs.	Rs.	Rs.	
Land Revenue ...	34,557	31,480	14,351	Represents the co tion from Provinci venues for improv in Government es the Sonthal Pa The figures for and 1909-10, in certain proportio forest revenue m for local improve
Provincial Rates	36,96,318	35,86,810	36,70,919	Represents collectic Road Cess.
Interest	36,702	36,930	34,997	Represents intere arrear collections Cess, and on Gov securities belon the Education, and other Depar
A—Law and Justice (Courts) ...	7,683	11,228	13,680	
—Police	3,30,310	3,41,310	3,38,499	Represents receip pounds.
—Education	5,65,628	5,87,918	5,71,771	Represents fees a receipts from and grants from cial Revenues establishment o brium betwe receipts and char over to District
—Medical	1,16,308	1,10,751	1,07,353	
—Scientific and other Minor Departments	28,012	34,379	33,030	Represents gran Provincial Rev wards Veterina lishments.
—Miscellaneous	2,95,900	2,76,554	2,41,487	
I—State Railways (Gross Traffic Receipts)	37,597	42,368	40,000	
I—Irrigation—Minor Works and Navigation	7,351	5,100	5,100	
I—Civil Works	14,57,245	13,02,365	11,65,359	Includes grants menting the r District Boa feeder roads an purposes.
Debt, Deposits and Advances ...	15,89,759	8,80,070	(*a*)6,27,110	(*a*) The decreas pared with the 1908-09, is chi smaller receip pated in the Nadia, the 24 Murshidabad a pur.
Total Receipts ...	82,03,370	72,47,263	68,63,656	
Opening Balance	30,33,996	22,88,080	9,62,800	
Grand Total ...	1,12,37,366	95,35,343	78,26,456	

EXPENDITURE.

Heads of Charges.	Actuals, 1908-09.	Revised estimate, 1909-10.	Budget estimate, 1910-11.	Remarks.
1	2	3	4	5
	Rs.	Rs.	Rs.	
1—Refunds and Drawbacks	1,015	35	35	
3—Land Revenue	28,682	34,549	31,276	
8—Provincial Rates	1,59,338	1,36,032	1,70,451	Revised 1909-10 and Budget 1910-11 include Rs. 1,33,000 and Rs. 1,68,000, respectively, on account of the proportionate cost of the collection of Road Cess, Valuation and Revaluation work, and Certificate and Tauzi establishments.
14—Interest on other Obligations	20,709	11,778	14,023	
18—General Administration ...	2,05,377	2,29,234	2,32,776	
20—Police	26,798	34,881	27,147	
21—Ports and Pilotage	...	7,522	7,200	
22—Education	12,84,768	12,77,478	11,75,106	
24—Medical	4,29,534	4,70,176	4,72,555	
26—Scientific and other Minor Departments ...	68,592	84,803	90,934	
29—Superannuation Allowances and Pensions...	52,996	56,012	57,538	
30—Stationery and Printing	43,808	40,200	41,841	
32—Miscellaneous	56,838	32,872	27,486	
33—Famine Relief	96,762	1,47,903	5,200	
41—Miscellaneous Railway Expenditure ...	...	...	15,000	
43—Irrigation—Minor Works and Navigation	3,50,617	5,81,070	1,71,152	Represents expenditure in connection with the Magra Hât Drainage Scheme.
45— Civil Works	45,79,713	49,08,146	41,70,493	
45— Debt, Deposits and Advances ...	15,43,739	5,19,852	4,75,003	
Total Charges ...	89,49,286	85,72,543	71,85,216	
Closing Balance	22,88,080	9,62,800	6,41,240	
Grand Total ...	1.12.37.366	95,35,343	78,26,456	

or budget head and ub-head under which rovision has been nade.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
		Non-recurring.	Recurring.	Total.	Non-recurring	Recurring.	Total.	
1.—*Land Revenue.*			Rs.	Rs.		Rs.	Rs.	
rges of District administration—								
neral Establishment—								
Salaries ...	Additions to the *cadre* of the Indian Civil Service.	.....	86,400 (Excluding exchange compensation allowance and pension charges)	86,400	.....	33,600	33,600	In 1907 a scheme was submitted to the Government of India for additions to the *cadre* of the Indian Civil Service, at an estimated cost of Rs. 3,15,800 per annum (excluding compensation allowance). In accordance with letter No. 1517, dated the 1st November 1909, from the Home Department, provision has been made for eight new posts of Joint-Magistrates, on the assumption that they will be sanctioned by the Secretary of State. The estimate of expenditure during the year 1910-11 is arrived at as follows:— Eight inferior appointments of Joint-Magistrates on average pay of Rs. 300 Rs. 76,800 *Less* pay of an equal number of Assistant Magistrates on average pay of Rs. 450 to be promoted ... 43,200 Total ... 33,600

Serial No.	Major budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
	3.—*Land Revenue*—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Charges of District administration—*concld.*								
	General establishments—								
2	**Salaries** ...	Lump provision for additional Deputy Magistrates and Deputy Collectors for the Survey and Settlement Department.	.....	1,76,700 (Without pension charges and travelling allowances.)	1,76,700	.....	34,400	34,400	Rs. 18 Deputy Collectors ... 81,000 50 Sub-Deputy Collectors ... 95,700 Total ... 1,76,700 The increase is proposed in order to meet the demands of the Settlement Department in accordance with the orders contained in paragraph 9 of Government of India letter No. 217-1471, dated the 26th February 1909. Provision during 1910-11 has been made for half the appointments on the lowest pay for eight months.
3	**Survey of waste lands**	Establishment ...	6,000	.....	6,000	6,000	.....	6,000	Provided in view of the contemplated reversion to the old system of giving leases in the Sunderbans to large capitalists.
4	Lump provision for increase of the pay of ministerial establishments.	Improvement of the prospects of ministerial officers.	.....	1,10,000	1,10,000	.....	1,10,000	1,10,000	This is to give effect to the recommendations of the Ministerial Officers' Salaries Committee. The scheme has been sanctioned by the Secretary of State. The increase in cost under this head is Rs. 1,38,096, but a portion of this has already been incurred in the shape of personal allowances. The balance is included in this Schedule.

Total Land Revenue ...		46,000	3,73,100	4,19,100	46,000	1,78,000	2,24,000	ordinarily calculated.
7.—Excise.								
uperintendence ...	Appointment of a Distillery Expert for Bengal and Eastern Bengal and Assam on Rs. 800 per mensem.	.....	9,600	9,600	.....	9,600	9,600	This appointment has been sanctioned by the Secretary of State. One-third of the cost will be paid by Eastern Bengal and Assam.
)istilleries, District establishment.	Improvement of the prospects of ministerial officers.	.....	11,000	11,000	.....	11,000	11,000	*Vide* Item 4. Personal allowances have already been given in some cases, and the additional cost is estimated at Rs. 11,000.
D.tto ditto ...	Temporary establishment required in connection with the introduction of the contract distillery system in the Patna and Tirhut Divisions.	.....	32,000	32,000	.....	32,000	32,000	The introduction of the contract distillery system in these divisions has been sanctioned, and the preventive establishments will require strengthening in consequence.
Total Excise ...	.....	.....	52,600	52,600	.....	52,600	52,600	
)ne-half Provincial ...	.....		26,300	26,300		26,300	26,300	
8.—Provincial Rates.								
)ollection of rates and cesses.	Improvement of the prospects of ministerial officers.	.....	36,000	36,000	.....	36,000	36,000	*Vide* Item 4. Personal allowances have already been granted in some cases, and the additional cost is roughly estimated at Rs. 36,000.
Provincial share (1)		...	12,000	12,000	.....	12,000	12,000	

Serial No.	Major of budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
	18.—General Administration.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Staff and Household of the Lieutenant-Governor—								
10	Charges for motor-cars ...	Purchase of a motor-car for His Honour.	10,000	.....	10,000	10,000	.....	10,000	The car is required to replace one in His Honour's use which is worn out.
11	Legislative Department...	Additional establishment required in connection with the enlarged Legislative Council to report debates, and the employment of peons for a larger number of Members.	.....	12,000	12,000	.....	12,000	12,000	
12	Executive Council ...	Salary, establishment, and contingencies of Councillors.	.....	2,00,000	2,00,000	.....	2,00,000	2,00,000	Rs. Salary, etc., of Members of Council ... 2,00,000 Net saving under the Board of Revenue ... 50,000 1,50,000
13	Civil Secretariat ...	Reorganisation of Chief Secretary's office.	.....	14,793	14,793	.....	14,793	14,793	A proposal to reorganise the Secretariat has been approved by the Government of India.
		Reorganisation of Judicial Secretary's office.	.....	9,105	9,105	.....	9,105	9,105	
		Reorganisation of Financial Secretary's office.	.....	8,946	8,946	.....	8,946	8,946	
		Temporary establishment—							
		(1) For copying old correspondence in the record-room.	6,144	.....	6,144	6,144	.....	6,144	The papers in the Secretariat record-room are being overhauled and re-arranged by a special establishment.

Commissioners ...	Improvement of the prospects of ministerial officers in Commissioners' offices.	.....	25,000	25,000	.....	25,000	25,000	*Vide* Item 4.
Total General Administration.		32,320	2,69,844	3,02,164	32,320	2,69,844	3,02,164	
19A.—Law and Justice—Courts of Law.								
High Court ...	Revision of the establishment of the Insolvency Court.	.....	28,420	28,420	.....	24,820	24,820	This is for the appointment of a Registrar of Insolvency and his establishment under the new Presidency Towns Insolvency Act, which came into force on the 1st January 1910.
Ditto	Temporary establishment for an additional Judge.	.....	5,500	5,500	.....	5,500	5,500	Temporary clerical and menial establishment for one Additional Judge.
Law officers ...	Appointment of a Lady Legal Adviser to *purdanashin* ladies.	.....	18,720	18,720	.....	Rs. Salary 12,000 Establishment 1,320 Travelling allowance 1,500 Contingencies 1,000 Total .. 16,320	16,320	The charge has hitherto been paid directly by the private estates concerned, but it now appears in the Budget for the first time. It is not in reality an additional item of expenditure, since the recoveries from private estates will be credited under Provincial Rates. One-fourth of the charge is recovered from the Government of Eastern Bengal and Assam.
Ditto	Fees for the defence of paupers in murder cases.	.....	5,000	5,000	.....	5,000	5,000	The provision is for the representation in the Courts of persons charged with murder who cannot afford to engage pleaders themselves.

Serial No.	Major budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
	19A.—Law and Justice—Courts of Law—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
19	Civil and Sessions Court	Appointment of a new District Judge for Sambalpur, and his establishment.	.....	53,000	53,000	.....	Salary ... Rs. 30,000 Establishment 13,000 Travelling allowance 1,000 Supplies and Services 7,000 Contingencies 2,000 Total . 53,000	53,000	Already sanctioned by the Secretary of State.
20	Civil and Sessions Court—Supplies and services ...	Purchase of fire-extinguishing appliances for Civil Courts.	10,000	.....	10,000	10,000	.....	10,000	
21	Criminal Courts ...	Honorary Magistrates' establishment.	.....	12,090	12,090	.....	12,090	12,090	Rs. Establishment sanctioned in 1909-10 10,626 For additional requirements ... 1,464 Total ... 12,090
		Improvement of the prospects of ministerial officers in Civil and Criminal Courts.	.....	2,00,000	2,00,000	.....	2,00,000	2,00,000	*Vide* Item 4. The increase in cost under this head is Rs. 2,77,950, but a portion of the cost of the scheme has already been met by the grant of personal allowances. The balance only is shown.
	Total Courts of Law ...		10,000	3,22,730	3,32,730	10,000	3,16,730	3,26,730	
	19B.—Law and Justice—Jails.								
23	Establishment—Superintendents and Jailers	Reorganisation of the	.....	[illegible]	[illegible]				

establishments.	Officers in charge of subsidiary jails.							of India with effect from the 1st April 1910.
rder establishment	Appointment of circle reserve warders.	.....	5,476	5,476	.....	5,424	5,424	This has been sanctioned with effect from the 1st April 1910.
w Presidency Jail ...	Establishment and other charges in connection with the new Presidency Jail.	.....	1,39,486	1,39,486	.....	1,39,486	1,39,486	The new Presidency Jail will be utilized for the present accommodation of prisoners in addition to the old Presidency Jail, and the provision is on this account.
manufacture ...	Jail manufactures in the new Presidency Jail.	.....	12,840	12,840	.....	12,840	12,840	
Total Jail ..		.....	1,83,698	1,83,698	.....	1,83,586	1,83,586	
20.—Police.								
dency Police— ice Commissioner— alaries	Appointment of two additional Deputy Commissioners.	.....	21,000	21,000	.....	21,000	21,000	This is a sanctioned scheme for the replacement of the Superintendents of the Calcutta Police by Deputy Commissioners, as recommended by the Police Commission. The details of the charges are as follows:— Rs. Salary ... 700 Local allowance ... 100 Horse do. ... 75 Total ... 875 × 2 × 12 = 21,000 A saving of Rs. 10,680 will be effected by the abolition of two appointments of Superintendents on Rs. 400 and Rs. 350, and horse allowance of Rs. 70 each

Serial No.	Major budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
	20.—*Police*—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs	
29	Presidency Police—*concld.* Police Commissioner—Salaries—*concld.* ...	Beat system in the town and suburbs of Calcutta.	.....	72,721	72,721	.....	72,208	72,208	
30	Criminal Investigation Department.	Reorganisation ...	.....	1,36,000	1,36,000	.....	1,36,000	1,36,000	This is a sanctioned scheme for strengthening the Criminal Investigation Department.
31	District Police Force—Salaries ...	Appointment of six Assistant Superintendents.	.....	21,600	21,600	.....	21,600	21,600	This is for new officers to be recruited in England under orders of the Government of India.
32		Promotion of Deputy Superintendents.	.....	4,800	4,800	.....	4,800	4,800	Rs. Two from Rs 300 to 400 ... 200 Four from Rs. 250 to 300 ... 200 400 This is in accordance with the sanctioned scale which has not yet been worked up to.
33	Police Force ...	Employment of two Armed Police Inspectors.	.....	3,600	3,600	.....	2,700	2,700	For Jessore and Angul at Rs. 150 each. Provision made for nine months.
34		Addition of thirty Sub-Inspectors.	.....	18,000	18,000	.....	13,500	13,500	Thirty on Rs. 50 each per mensem. Provision made for nine months.
35		Increment of pay of constables.	.....	1,18,200	1,18,200	.....	88,650	88,650	Second rupee increment to 9,850 constables. Provision made for nine months.
36	Allowances ...	Conveyance allowance of Inspectors and Sub-Inspectors.	.....	5,760	5,760	.....	4,320	4,320	Conveyance allowance of Rs. 15 a month for two Inspectors and thirty Sub-

irs.	Cost of quarters for 50 Sub-Inspectors to be newly appointed.	33,000	.....	33,000	33,000	.....	38,000	Each set of quarters to cost Rs. 1,100.
ing School for Sub-ectors.	Management of the Doranda Cantonment lands.	.....	6,000	6,000	.....	6,000	6,000	For the management of the Doranda Cantonment which has been relinquished by the Military authorities.
agencies ...	Rent of quarters for Sub-Inspectors.	40,000	.....	40,000	40,000	.....	40,000	House-rent for Sub-Inspectors will be required till quarters are provided.
.....	Office expenses and miscellaneous.	.....	3,390	3,390	.....	3,390	3,390	Additional expenditure for the new force to be appointed.
Total Police ...		1,31,500	4,11,071	5,42,571	1,31,500	3,74,168	5,05,668	
Ports and Pilotage.								
ase of marine stores coal, etc.	Purchase of two new boilers for the S. S. *Guide*.	£ 3,800 or Rs. 57,000	.....	57,000	57,000	.....	57,000	An indent has already been sent home. The present boilers are worn out, and require to be replaced. The expenditure was postponed during the current year for want of funds.
12.—*Education.*								
tion ...	Inspector of Technical Schools and Industrial Education.	600	25,608	26,208	600	16,400	17,000	Sanctioned by the Secretary of State.
tors of other schools	Scheme for the provincialisation of Sub-Inspectors previously employed under District Boards.	.....	17,880	17,880	.....	17,880	17,880	Sanctioned by the Secretary of State in his despatch No. 209 Public, dated the 18th December 1908. This is for regrading the Sub-

Serial No.	Major budget head and sub-head under which provision has been made.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Nor-recurring.	Recurring.	Total.	
	22.—Education—concld.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
	Government Colleges—General—								
45	Art College for boys	Scheme for strengthening the staff of Government Colleges.	.....	95,840	95,840	.....	42,000	42,000	The total cost sanctioned by the Secretary of State is Rs. 1,40,840. Rupees 45,000 was provided for in the budget for 1909-10, and an additional sum of Rs. 42,000 is provided for 1910-11 for additional Professors to be recruited.
	Government Schools—Special—								
46	Guru-training schools	Construction of school buildings, teachers' quarters, etc.	1,00,000	.....	1,00,000	1,00,000	.....	1,00,000	This is for the completion of buildings under construction, and for other outstanding liabilities.
47	Technical and Industrial schools.	Serampore Weaving School.	5,700	900	6,600	5,700	900	6,600	Rupees 35,000 was provided in the budget for 1909-10 in lump; the additional Rs. 6,600 provided for 1910-11 is for outlying centres, etc.
48	Miscellaneous ...	Preparation, translation and editing of the Senior Teachers' Manual.	15,800	.....	15,800	15,800	.....	15,800	Sanctioned in Government order No. 2024 T.—G., dated the 4th October 1909.
49		Preparation and translation of science text-books for Standards III—VI.	9,200	.....	9,200	9,200	.....	9,200	The matter was referred to in Government order No. 2024T.—G., dated the 4th October 1909.
	Total ...cation ...		1,31,300	1,40,228	2,71,528	1,31,300	77,180	2,08,480	

	and position of Assistant Surgeons.	.....	.....	.....	.....	.....	41,000	Proposals for improving the prospects of Civil Assistant Surgeons have been submitted to the Government of India, and are under their consideration.
alaries ...	Improvement of the pay and position of Civil Medical Assistants.	.....	32,520	32,520	.....	32,520	32,520	This is a scheme for improving the position of Civil Medical Assistants which has been tentatively approved by the Government of India, pending the submission of a proposition statement showing its exact financial effect. Of this, about Rs. 10,000 will be recovered from Local Funds, etc.
tals and Dispen- s—								
lical College—								
stablishment ...	Establishment required for the working of the new Surgical Block of the Medical College.	.....	18,000	18,000	.....	18,000	18,000	The new Surgical Block will be opened shortly, and additional establishment will be necessary for its working. The provision has been made pending the submission of definite proposals.
al Schools and Col- s—								
lical College— alary ...	Professor of Anatomy ...	.....	8,400	8,400	.....	6,000	6,000	This is a new appointment, to which the sanction of the Secretary of State is expected shortly.
l Medical ...		.....	1,55,920	1,55,920	.....	97,520	97,520	
Scientific and other her Departments.								
nary and Stallion ges—Hospitals and nsaries.	Reorganisation of the service of Veterinary Assistants.	.....	1,03,000 (will not be attained for 15 years.)	1,03,000	.....	10,000	10,000	The scheme has been sanctioned by the Secretary of State, and it will be intro-

Serial No.	Major budget head and sub-head under which provision might be made if funds are available.	Name of scheme.	Estimate of ultimate maximum cost.			Estimate of expenditure in 1910-11.			Remarks.
			Non-recurring.	Recurring.	Total.	Non-recurring.	Recurring.	Total.	
	26.—Scientific and other Minor Departments—concluded.		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
55	Agriculture— Agricultural College ...	College Hostel ...	3,000	16,200	19,200	3,000	2,600	5,600	The hostel will be opened in November 1910.
56	Ditto ...	Laboratories establishment	1,000	5,820	6,820	1,000	5,820	6,820	This is for temporary establishment, and will vary according to requirements.
57	Ditto ...	Fitting up the College ...	25,000	.....	25,000	25,000	.....	25,000	The total estimate was one lakh, out of which Rs. 75,000 was provided in the current year's budget. The balance will be required next year.
58	Cinchona Plantation— Manufacturing account	Purchase of cinchona bark.	2,00,000	.....	2,00,000	2,00,000	.....	2,00,000	Owing to the increased demand for quinine which is anticipated, and to the fact that much of the bark at present on the Plantation is immature, it is necessary to make extensive purchases of Java bark.
59	Botanical and other Gardens— Botanical Garden at Sibpur. Supplies and Services	Purchase of a new pumping engine and boiler.	5,600	.....	5,600	5,600	.....	5,600	The amount is urgently required in order to replace the existing engine which is worn out.
60	Registrar of Co-operative Credit Societies— Establishment ...	Staff of Auditors ...	.....	6,288	6,288	.....	4,488	4,488	The appointment of the Auditors has been sanctioned

	Total Scientific and other Minor Departments.		2,42,100	1,63,808	4,05,908	2,42,100	55,408	2,97,508	accounted.
	30.—Stationery and Printing.								
62	Government Presses— Bengal Secretariat Press— Supplies and Services Purchase of plant from Home.	Six printing machines, a guillotine cutting machine and accessories, and a book-sewing machine.	36,592	.....	36,592	36,592	.....	36,592	The machines are required to replace existing old ones, and to permit of more efficient work.
	32.—Miscellaneous.								
63	Allotment for petty grants by His Honour the Lieutenant-Governor.	.....	25,000	.....	50,000	50,000	.....	50,000	This is an allotment from which donations to charities and grants to local bodies are made on direct application to His Honour the Lieutenant-Governor. The present grant is Rs. 50,000, and it is proposed to raise it to Rs. 1,00,000.
	55.—Civil Works in charge of Civil Officers.								
64	Contributions to Municipalities, etc.— Special grants at the disposal of the Commissioners of Divisions.	To meet minor local requirements without the delays incidental to a reference to head-quarters.	25,000	.....	25,000	25,000	.....	25,000	The system has worked well, and it is proposed to increase the allotment from Rs. 75,000 to Rs. 1,00,000.
	GRAND TOTAL ...		7,61,812	20,58,699	28,20,511	7,61,812	15,90,736	23,52,548	

The Calcutta and Suburban Police (Amendment) Bill, 1910.

The Bengal Cess (Amendment) Bill, 1910.

[*Mr. Wheeler; Mr. Duke; Mr. Slacke; The President.*]

He said: —"Sir, I beg to lay on the table the Budget Estimates of Provincial Revenue and Expenditure in Bengal for the year 1910-11 as finally sanctioned by the Government of India.

"No alterations in the figures in the Revised Financial Statement presented on the 12th instant were necessitated by any Resolutions which were passed in this Council, and the Government of India have made no changes, in finally passing the Budget which necessitate any alterations in the grants under the major heads of account. The only alteration that has been made is the transfer both in the Revised Estimates for 1909-10 and in the Estimate for 1910-11 of a small provision of Rs. 20,000 under No. 30—'Stationery and Printing' for printing the Indian Law Reports which has been transferred from the minor head 'Government Presses' to that of 'Printing at private presses,' since this work is now being done at an outside press.

"A small correction has been made in the opening balance for 1908-09. It was found after some adjustment of the accounts that the year 1907-08 actually closed with a credit balance of Rs. 71,73,959 instead of Rs. 71,73,813 as previously reported, and this amount has accordingly been taken as the opening balance for 1908-09.

"Following the practice of the past two years, a statement has been furnished as Appendix C, which shows the transactions of District Boards and District Road Committees, the figures in the column of estimates representing the sums which have been passed by the Commissioners of Divisions. This statement does not form any part of the Provincial Budget, but it has been annexed for convenience of reference.

"The Budget will come up for general discussion on the 2nd April, and I would ask Hon'ble Members to extend to the various Members in charge of different departments the same courtesy that has been shown on previous occasions, and to give notice within the next two days of any points which they desire to raise in order that information may be collected, where necessary, regarding them."

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1910.

The Hon'ble Mr. Duke presented the Report of the Select Committee on the Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866.

THE BENGAL CESS (AMENDMENT) BILL, 1910.

The Hon'ble Mr. Slacke presented the Report of the Select Committee on the Bill further to amend the Cess Act, 1880.

BUDGET FOR 1910-11.

The PRESIDENT said:—"Gentlemen, as Mr. Wheeler has just told you, the Budget will come up for discussion on Saturday, the 2nd April. I have considered whether it would be desirable to exercise the powers vested in me under rule 30, sub-clause (3) of the Rules for the discussion of the Budget and to fix a time-limit for speeches. I observe that this course has been followed by His Excellency the Viceroy in the Imperial Council. The corresponding rule in connection with the discussion of Resolutions on matters of general public interest applicable to this Council is that the mover of a Resolution and

[*Babu Bhupendra Nath Basu; The President.*]

the Hon'ble Member in charge of the department are entitled to speak for not more than 30 minutes, while all other Members are limited to 15 minutes each. I am inclined to think that we might apply a similar rule on the occasion of the Budget discussion, and as there are no movers, no Resolutions can be moved. The effect of that would be to limit speeches to 15 minutes each. Unless that is inconvenient to any Member of the Council, I propose to fix a 15 minutes' time-limit. It is unfortunate that so many Members of the Council are absent to-day, but no doubt they will see my remarks in the newspapers. Of course, that limitation of 15 minutes will not be applicable to the Hon'ble the Finance Member, whose remarks may have to cover considerably more grounds than those of the other Hon'ble Members."

The Hon'ble BABU BHUPENDRA NATH BASU said:—"Would it not be more desirable if His Honour followed the precedent of the Supreme Council where the time-limit is 20 minutes?"

The PRESIDENT said:—"The only reason why I suggested the 15 minutes' time-limit was, as I have already said, to make it correspond with the time-limit in the case of Resolutions. But I am quite ready to accept the Hon'ble Member's suggestion, and will take it at 20 minutes."

The Council was then adjourned to Saturday, the 2nd April, 1910, at 11 A.M.

CALCUTTA,
The 14th April, 1910.

F. G. WIGLEY,
Secretary to the Bengal Legislative Council.

B. S. Press—30-4-1910—461IJ—400—W. M. D'C.

Abstract of the Proceedings of the Legislative Council of the Lieutenant-Governor of Bengal, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Saturday, the 2nd April, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding.*

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President.*

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble SIR CHARLES ALLEN, KT.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. E. P. CHAPMAN.

The Hon'ble MR. G. W. KUCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble BABU BHUPENDRA NATH BASU.

The Hon'ble RAI SITA NATH RAY BAHADUR.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH.

The Hon'ble BABU KIRTANAND SINHA.

The Hon'ble RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GHULAM HUSAIN KASIM ARIF.

The Hon'ble DR. ABDULLAH-IL-MAMUN SAHRAWARDY.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MR. K. B. DUTT.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble MR. MADHU SUDAN DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

Questions and Answers.

[*Sir Charles Allen ; Dr. Abdullah-ul-Mamun Sahrawardy ; Mr. Wheeler.*]

OATH OF ALLEGIANCE.

The Hon'ble Sir Charles Allen made the prescribed oath of allegiance to the Crown.

QUESTIONS AND ANSWERS.

DISTRICT BOARDS AND MUNICIPALITIES OF THE PRESIDENCY, BURDWAN AND ORISSA DIVISIONS.

The Hon'ble Dr. Abdullah-ul-Mamun Sahrawardy asked :—

(*a*) Will the Government be pleased to state the number of Europeans, Hindus and Muslims in each of the (*i*) District Boards and (*ii*) Municipalities of the Presidency, Burdwan and Orissa Divisions ?

(*b*) How many of them are appointed by the Government, and how many are elected members in each of the (*i*) District Boards and (*ii*) Municipalities of the above Divisions ?

(*c*) What is the proportion of the elected members to those appointed by the Government ?

The Hon'ble Mr. Wheeler replied :—

"Statements containing the information asked for by the Hon'ble Member are laid on the table.

"The proportions of the nominated and elected members, respectively, of the Municipalities and District Boards in the three Divisions indicated are as follows :—

Municipalities.

Division.	*Percentage of elected members.*	*Percentage of nominated members.*
Burdwan	59·4	40·6
Presidency	54·5	45·5
Orissa	50·5	49·5

District Boards.

Burdwan	44·6	55·4
Presidency	47·7	52·3
Orissa	54·8	45·2 "

(Statement referred to in the above answer.)

STATEMENT I

Showing the number of European, Hindu and Muhammadan Commissioners in the Municipalities of the Burdwan Presidency and Orissa Divisions.

No.	Names of Municipalities.	Number of European Commissioners.			Number of Hindu Commissioners.			Number of Muhammadan Commissioners.			Total number of Commissioners.	
		Elected.	Appointed.	Total.	Elected.	Appointed.	Total.	Elected.	Appointed.	Total.	Elected.	Appointed.
1	2	3	4	5	6	7	8	9	10	11	12	13
	Burdwan Division.											
1	Burdwan ...	...	3	3	13	2	15	2	2	4	15	7
2	Kalna ...	...	...	...	10	4	14	...	1	1	10	5
3	Katwa ...	...	...	...	7	4	11	1	...	1	8	4
4	Dainhat ...	...	...	...	8	3	11	...	1	1	8	4
5	Raniganj ...	...	3	3	6	1	7	2	...	2	8	4
6	Assansol ...	...	7	7	...	4	4	..	1	1	...	12
7	Suri ...	...	2	2	9	2	11	2	1	3	11	5
8	Bankura ...	...	2	2	8	2	10	...	...	...	8	4
9	Bishnupur ...	...	...	...	8	3	11	...	1	1	8	4
10	Sonamukhi ...	...	...	...	...	9	9	...	...	...	...	9
11	Midnapore ...	...	3(*a*)	3	10	3	13	...	2	2	10	8(*b*)
12	Tamluk ...	...	...	...	5	5	10	...	2	2	5	7(*c*)
13	Ghatal ..	...	...	...	10	4	14	...	1	1	10	5
14	Chandrakona ...	...	.	...	8	4	12	...	..	...	8	4
15	Ramjibanpur ...	...	...	...	6	3	9	...	...	...	6	3
16	Khirpai ...	...	...	...	6	3	9	...	...	...	6	3
17	Kharar ...	...	...	...	10	5	15	...	...	...	10	5
18	Hooghly-Chinsura ...	2	2	11	3	14	1	1	2	12	6	
19	Serampore ...	...	5	5	12	1	13	...	...	...	12	6
20	Uttarpara ...	...	1	1	6	5	11	...	..	...	6	6(*b*)
21	Baidyabati ...	...	2	2	8	2	10	...	...	...	8	4
22	Bhadreswar .	...	3	3	8	1	9	...	..	...	8	4
23	Kotrung ...	...		...	6	3	9	...	...	...	6	3
24	Bansberia ..	.	...	...	6	3	9	...	...	...	6	3
25	Arambagh ...	...	..	...	...	9	9	...	1	1	...	10
26	Howrah ...	...	7	7	20	2	22	...	1	1	20	10
27	Bally ...	...	5	5	14	2	16	...	...	...	14	7
	Total ...	...	45	45	215	92	307	8	15	23	223	152

(*a*) One Native Christian.
(*b*) Two appointed under section 16.
(*c*) Three appointed under section 16.

STATEMENT I—*continued.*

Names of Municipalities.	Number of European Commissioners.			Number of Hindu Commissioners.			Number of Muhammadan Commissioners.			Total number of Commissioners.	
	Elected.	Appointed	Total.	Elected.	Appointed.	Total.	Elected.	Appointed	Total.	Elected.	Appointed
2	3	4	5	6	7	8	9	10	11	12	13
sidency Division.											
pore-Chitpur ...	...	2	2	7	2	9	1	...	1	8	4
iktala ...	...	3	3	5	1	6	3	...	3	8	4
nagar ...	1	1	2	5	1	6	...	1	1	6	3
arhati ...	...	2	2	...	8	8	...	...	...	...	10
h Suburban ...	...	1*	1	7	2	9	...	...	...	7	3
ganj ...	...	1	1	4	1	5	2	1	3	6	3
en Reach ..	...	5	5	...	4	4	...	3	3	...	12
ur ..	...	...	...	12	6	18	...	...	...	12	6
ipur ...	...	...	...	6	3	9	...	...	...	6	3
agar ...	...	...	...	8	4	12	...	...	...	8	4
h Dum-Dum ...	...	2	2	5	1	6	1	...	1	6	3
h Dum-Dum ...	...	...	...	5	2	7	1	1	2	6	3
h Barrackpur ...	...	1	1	6	2	8	2	1	3	8	4
haty ...	...	...	...	7	2	9	...	1	1	7	3
garh ...	...	6	6	...	1	1	...	2	2	...	9
h Barrackpur ...	...	...	...	10	4	14	...	1	1	10	5
dia ...	...	4	4	...	5	5	...	1	1	...	10
sat ...	...	...	...	10	5	15	2	1	3	12	6
ati ...	...	2	2	6	...	6	...	1	1	6	3
sahar ...	...	2	2	8	1	9	...	1	1	8	1
tpara ...	...	6	6	...	4	4	...	1	1	...	11
ardanga ...	...	...	...	6	3	9	...	...	...	6	3
rhat ...	...	...	...	6	2	8	4	3	7	10	5
uria ...	...	...	...	8	2	10	...	2	2	8	4
...	...	...	..	6	3	9	...	...	...	6	3
ge-Budge ...	...	5	5	...	4	4	...	...	...	...	9
hnagar ...	...	2*	2	12	5	17	2	...	2	14	7
ipur ...	...	...	...	...	7	7	...	3	3	...	10
aghat ...	...	...	...	12	6	18	...	...	...	12	6
ia ...	...	...	...	8	4	12	...	..	...	8	4
htia ...	...	1	1	7	1	8	1	2	3	8	4
narkhali ...	...	...	...	5	4	9	5	1	6	10	5
erpur ...	...	...	...	6	1	7	...	2	2	6	3
agar ...	...	...	...	8	4	12	...	...	...	8	4
kdah ...	...	1*	1	...	9	9	...	2	2	...	12
hampur ...	..	3	3	16	4	20	1	1	2	17	8
shidabad ...	...	1	1	6	2	8	4	2	6	10	5
nganj ...	...	...	...	8	7	15	..	...	...	8	7†
gipur ...	..	1	1	11	4	15	1	1	2	12	6
nan ..	...	...	...	...	6	6	...	3	3	...	9
di ..	...	...	...	6	2	8	...	2	2	6	11
ore ...	...	1	1	12	4	16	..	1	1	12	6
chandpur	1	...	1	4	2	6	1	1	2	6	3
reshpur ...	...	...	...	10	4	14	...	1	1	10	5
lna ...	...	...	...	9	4	13	1	1	2	10	5
chira ...	...	...	..	7	2	9	1	2	3	8	4
hata ...	..	...	...	...	12	12	...	...	...	..	12
Total ...	2	53	55	284	167	451	33	46	79	319	266

* Native Christian.
† Two Commissioners appointed under section 16 of the Municipal Act.
‡ One appointed under section 16.

STATEMENT I—*concluded.*

No.	Names of Municipalities.	Number of European Commissioners.			Number of Hindu Commissioners.			Number of Muhammadan Commissioners.			Total number of Commissioners.	
		Elected.	Appointed.	Total.	Elected.	Appointed.	Total.	Elected.	Appointed.	Total.	Elected.	Appointed
1	2	3	4	5	6	7	8	9	10	11	12	13
	Orissa Division											
1	Cuttack ...	2*	2	4	9	2	11	1	2	3	12	6
2	Jajpur ...	...	...	..	...	11	11	...	1	1	...	12
3	Kendrapara ...	...	1	1	..	9	9	...	2	2	...	12
4	Balasore ...	...	3	3	10	2	12	2	1	3	12	6
5	Puri	...	3	3	10	2	12	...	...	...	10	5
6	Sambalpur ...	...	2	2	10	2	12	2	...	2	12	4
	Total ..	2	11	13	39	28	67	5	6	11	46	45

* Two are Native Christians.

STATEMENT II

Showing the number of European, Hindu and Muhammadan members in the District Boards in the Burdwan, Presidency and Orissa Divisions.

Names of District Boards.	Number of European members			Number of Hindu members.			Number of Muhammadan members.			Total.	
	Elected.	Appointed.	Total.	Elected.	Appointed.	Total.	Elected.	Appointed.	Total.	Elected.	Appointed.
1	2	3	4	5	6	7	8	9	10	11	12
Burdwan Division.											
Burdwan ...	1	2	3	5	8	13	...	2	2	6	12
Birbhum ...	...	2	2	8	3	11	...	3	3	8	8
Bankura ...	...	3	3	8	4	12	...	1	1	8	8
Midnapore ...	...	7	7	12	3	15	...	2	2	12	12
Hooghly ...	...	3	3	10	11	21	...	2	2	10	16
Howrah ...	...	2	2	6	3	9	...	1	1	6	6
Total ...	1	19	20	49	32	81	...	11	11	50	62
Presidency Division.											
24-Parganas ...	...	2	2	11	10	21	1	1	2	12	13*
Nadia ...	...	5	5	9	6	15	1	...	1	10	11*
Murshidabad ...	1	5	6	7	5	12	2	1	3	10	11
Jessore ...	...	1	1	12	11	23	...	1	1	12	13
Khulna ...	...	2	2	7	3	10	1	4	5	8	9*
Total ...	1	15	16	46	35	81	5	7	12	52	57
Orissa Division.											
Cuttack ...	...	2	2	9	7	16	1	1	2	10	10
Balasore ...	1	3	4	6	5	11	1	...	1	8	8
Puri ...	1	3	4	5	4	9	...	...	...	6	7
Sambalpur ...	...	4	4	16	4	20	...	...	...	16	8

[*The President; Babu Braja Kishor Prasad; Maharaja Manindra Chandra Nandi.*]

BUDGET OF THE GOVERNMENT OF BENGAL FOR 1910-11.

The PRESIDENT said:—

"The next business for the Council is the discussion of the Budget for the year 1910-11. Under rule 34 (2) when a speech has been printed and sent in advance and has been circulated to all Hon'ble Members, it is permissible at the discretion of the President to treat that speech as read. Four such speeches have been received through the courtesy of Hon'ble Members. These are the Hon'ble Maharaja of Cossimbazar, the Hon'ble Khan Bahadur Maulvi Sarfaraz Husain Khan, the Hon'ble Rai Sita Nath Ray Bahadur and the Hon'ble Babu Braja Kishor Prasad. It will save a good deal of time to take these speeches as read if none of these four Hon'ble Members have no objection to treat them in that manner."

The Hon'ble BABU BRAJA KISHOR PRASAD said:—

"I have no objection, Sir, to this being done, but I have something to add to my printed speech when the time comes if Your Honour will allow me to do this."

The PRESIDENT said:—

"I do not think that the Hon'ble Member is entitled to make any addition to his speech, which has been printed, but I shall not insist upon that objection.

"Hon'ble Members will remember that the time-limit of speeches is twenty minutes, and the Secretary to the Council will keep a note of the time as Hon'ble Members proceed, and will give us notice when any Hon'ble Member is likely to be approaching the time-limit. Hon'ble Members are allowed to speak in any order they please."

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI said:—

"The Hon'ble Sir Guy Fleetwood Wilson, in laying before the Imperial Council the Financial Statement for 1910-11, reminded his colleagues that it was rather by the painstaking examination of specific items of expenditure than by the framing of abstract resolutions on organic changes in the financial policy of Government, that economy could best be attained. In the Provincial Council we are not called upon to discuss the knotty problems connected with Imperial finance; ours is the humbler task of seeing that the resources at the disposal of the Provincial Government are judiciously utilised. Financially, the present is a critical period, as the Imperial Government has been driven to the painful necessity of resorting to additional taxation and of specially inviting Local Governments to overhaul their expenditure and to adapt it to their normal resources. Bengal is singularly fortunate in having at this moment as its ruler a liberal-minded statesman whose knowledge of the intricacies of Indian finance is inferior only to his zeal for the public good, and who has been commended in glowing terms by the present Finance Minister of the Government of India from his place in the Imperial Council for the courage and thoroughness with which he has already enforced economy in this Province.

"I have great pleasure in congratulating the Hon'ble Member in charge of the Financial Department on the lucidity with which he has placed the financial position of the Province before the Council. The figures are perfectly intelligible even to those like myself who can have no pretensions to expert knowledge of the details of the administration, and I have no doubt that they will satisfy even the most fastidious critic. The new system augurs well for the future, and the special thanks of the non-official members and the public are due to the Hon'ble Mr. Wheeler for the trouble he has taken to make that system popular and successful.

"The most striking feature of the present estimates is that they provide without any sacrifice of efficiency for a closing balance equal to the minimum of Rs. 20,00,000 prescribed by the Government of India. This has been rendered possible by the special subsidy of Rs 30,42,000 obtained from the Government of India, a fact on which the Bengal Government is to be congratulated. It is hoped that steps will be taken to guard against any

[*Maharaja Manindra Chandra Nandi.*]

depletion of the prescribed minimum balance in future. A scrutiny of the details shows that the estimates have been framed with sufficient caution, and the allotments evince a sympathetic and equitable adjustment of the rival claims of the different departments.

"It is noticeable that for the improvement of the prospects of ministerial officers employed in various departments an outlay of Rs. 5,08,000 is provided for. These officers are recruited from the middle classes, whose struggles for existence are well known and whose claims to generous consideration have been admitted by successive Governments in unequivocal terms. The only point on which the position requires fuller explanation appears to be the exclusion from the estimates of any provision for the increase of pay of the ministerial officers of the Registration Department; it is simply stated in paragraph 42 of the Review that definite proposals on the subject have not yet reached Government. This delay is perhaps unavoidable, but it is not clear why a concession made to clerks in other departments should be withheld indefinitely from those employed in the Registration Department. The heart-burning caused by any such differential treatment can easily be imagined, and it is hoped that early steps will be taken to obviate this undesirable result.

"The estimates provide for an expenditure of Rs. 1,52,000 under the head "Legal Remembrancer and High Court Pleaders". The revised estimate under the same head for the current year is Rs. 3,16,000 against the sanctioned grant of Rs. 1,30,000, while the actuals for the three preceding years were:—

	Rs.
1906-07	85,777
1907-08	1,28,541
1908-09	2,61,029

The enormous rise this year is due to the larger payments of fees to pleaders and counsel in the High Court in connection with the prosecution of anarchist cases. A corresponding rise is noticeable in the expenditure under the head "Criminal Investigation Department". The revised estimate for the current year is Rs. 2,53,000 against the sanctioned grant of Rs. 1,92,000, while the actuals for the three preceding years were:—

	Rs.
1906-07	73,848
1907-08	1,20,918
1908-09	1,73,604

For the coming year provision has been made for an increased expenditure of Rs. 3,19 000, and it is explained that this increase is due to the reorganisation of the department. The above-quoted figures afford ample food for reflection. They conclusively show that, unless and until the incubus of anarchism is got rid of, public funds must be diverted from their legitimate ends to meeting the inevitable cost of combating this obnoxious form of human depravity. The ushering in of favourable seasons has resulted in a saving of about six lakhs under the head "Grain Compensation Allowance," and this money might have been available for some admittedly deserving scheme of public utility had not the Government been obliged to incur heavy outlay on account of the recrudescence of anarchism in our midst. Appeals have been made by high officials and leaders of public opinion for co-operation in eradicating this dire evil, and it is hoped that they will not prove infructuous. For the fanaticism of a few the sufferers are many, and it is high time that the lesson taught by the results was brought home to the people affected. The maintenance of an expensive Criminal Investigation Department and the payment of a fabulous amount as fees to counsel and pleaders have become necessary evils, and no effort should be spared to check, if not entirely eradicate, them.

"In the Imperial Council the Hon'ble Mr. Meston has stated that since 1908-09 the Government of India have been giving to the various provinces a total grant of 30 lakhs a year in aid of sanitary improvement, and that he believes that a substantial share of that subsidy has been passed on to

[*Khan Bahadur Maulvi Sarfaraz Husain Khan.*]

municipalities and local bodies. The present Provincial statement does not enable one to gather what proportion of the aforesaid annual grant is made to Bengal nor how the subsidy is utilised. The statement shows that the current year's revised estimate under the head "Sanitation and Vaccination" subordinate to "24—Medical" is Rs. 2,58,000 against the sanctioned grant of Rs. 2,80,000, and the decrease is due to the non-utilisation of the grant for the improvement of the Sanitary Department. The estimate for 1910-11 does not include any provision for this and no explanation is furnished of the omission. It also appears that a subsidy of four lakhs and a half is to be made next year to "*Excluded Local Funds and Municipalities*" for sanitary improvement, and that increased provisions of Rs. 1,00,000 and Rs. 1,00,000 have also been made against the current year's sanctioned grants of Rs. 50,000 and Rs. 75,000, respectively, to enable the Lieutenant-Governor and Commissioners of Divisions to make petty grants on direct applications made to them by local bodies. All this is satisfactory, but it is obvious that the heavy expenditure necessary for village sanitation properly so called has yet to be adequately provided for. The ravages of malaria and the havoc played by other fell diseases are well known; the sufferings of the poor in remote villages on account of the scarcity of water during summer have more than once been discussed in this Council; it has been argued with much force that the limited resources of the District Boards are wholly inadequate to provide the remedy. I would earnestly appeal to Your Honour's Government to come to the rescue of the sufferers. Your Honour is possessed of generous instincts, and I respectfully crave Your Honour's indulgence in expressing a hope that the inauguration of a matured scheme for effecting this long-deferred reform may be the lasting monument of Your Honour's already much-appreciated liberal administration. In conclusion, I must express my sincere gratitude to Government for the allotment of Rs. 16,000 for drainage and of a further sum of Rs. 15,000 for the improvement of the water-supply for Berhampore out of the budget grant for 1909-10."

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said:—

"Your Honour,—The Budget for 1910-11 shows that the allotments for new schemes costing individually more than Rs. 5,000 amount to Rs. 7,61,812 as non-recurring and Rs. 15,90,736 as recurring charges, and that the allotments for the new schemes individually estimated to cost Rs. 5,000 or less amount to Rs. 67,390 as non-recurring and Rs. 1,37,435 as recurring charges.

"In connection with the provision made for these schemes, may I be permitted to make a few observations.

"I congratulate the Government on its increasing the allotments to His Honour the Lieutenant-Governor and the Divisional Commissioners, for making provision in the budget for the cost of the establishment of a Provincial Executive Council, for the improvement of the college at Sabaur, for the reorganisation of the Criminal Investigation Department, for improving the pay and position of the Civil Assistant Surgeons and Civil Hospital Assistants, and for the increase of the pay of the ministerial officers.

"By increasing the allotments to His Honour the Lieutenant-Governor and the Divisional Commissioners, casual works in cases of emergency will be done with greater expedition, and His Honour in his tours through the province and the Divisional Commissioners in their tours in their respective divisions will thus be in a position to give immediate relief to the people whenever required.

"The creation of an Executive Council in this Province had been looked forward to with considerable interest, and the people will now look upon it as a great boon highly calculated to lighten the pressure of the administrative work of the Province. The enlargement and expansion of the Legislative Councils and the increase of work in almost all the departments of the State, make it essentially necessary that the Heads of Provinces should have by their side officers of proved ability and administrative capacity to assist them and to share their labour in the arduous works of administration.

"India being an agricultural country, nothing could do it more substantial good and tend to increase its material resources than the spread of agricultural

knowledge in the land. The poverty of the agriculturists and the cultivating classes in India, their ignorance of even the rudiments of the science of agriculture, the acquisition of which has remarkably improved the condition of their brethren in the civilised countries of the world, reacting with considerable force on the material condition of the people, are facts that need no proof by me or by any one else. The establishment of a solitary Provincial Agricultural College cannot, no doubt, be expected to do much good all at once—conservative as the people of this country, and especially the cultivating classes, are. But it cannot but be a matter of general satisfaction that a real beginning has been made in the direction, and it is hoped that in times to come, when the agricultural needs of the Province are more recognised and better opportunities present themselves, Government will be in a position to develop the agricultural institutions of the Province, to the great advantage of the teeming population of the land.

"The present time being one when war is not so much dreaded as the existence of an anarchical conspiracy with its ramifications, any attempt to root out such a conspiracy should therefore be welcomed by all the citizens of a civilised Government, and the breaking up of the organized bands of conspirators cannot be satisfactorily done unless the Government is kept constantly informed of the movements and rendezvous of the evil-doers and mischief-makers by a well-equipped staff of Police officers brought up to a high standard of efficiency.

"The Civil Assistant Surgeons and the Civil Hospital Assistants are, as a matter of fact, ill-paid, and looking to the useful work they do, it is just and equitable that their prospects should be improved.

"Any one in administrative charge of a Government office can realize the position of clerks working there. They are practically in charge of the details of the office work, and have to come to office before their Heads come and to leave it after their departure, working all the time without comparative rest, and it is therefore bare justice that their small salaries should be increased.

"Your Honour, it is hardly the time now to suggest any alterations in the budget allotments. But it may not be out of place for me to place the pressing needs of Bihar before Your Honour, trusting that attention will be paid to them as a suitable opportunity presents itself.

"*Education.*—The fate of most of the private colleges in Bihar, in spite of the zealous efforts of the gentlemen concerned with the institutions, and the assistance given to them by Government, is still trembling in the balance, and unless more liberal grants are made to them they can hardly be expected to meet the necessary demands. I may here allude to the dangers of the present Calcutta life to which the people of Bihar are wide awake, and on account of which they are averse to sending their children for education to the metropolis, being naturally anxious that their boys should be kept away from the sinister influences which unfortunately are at work there. But this crying intellectual need of Bihar can be satisfied only if the colleges in Bihar are allowed to develop into efficient educational institutions with generous help from Government. But a Bihari feels discouraged and gets pessimistic when he looks to the following figures:—

From Imperial grants up to date—		Rs.
To B. N. College, Bankipore	...	24,000
To T. N. Jubilee College, Bhagalpur	...	22,000
To B. B. College, Muzaffarpur	...	7,000
Total	...	53,000

and

St. Xavier's College	...	37,000
Bangabasi College	...	42,000
Metropolitan College	...	52,000
Scottish Churches College	...	35,000
Total	...	1,86,000

[*Rai Sita Nath Ray Bahadur.*]

"Out of a maintenance grant of nearly Rs. 68,000 for aided colleges, Bihar (proper) receives at present only Rs. 2,400. There is no doubt that the B. N. College at Bankipore and the Bhumihar Brahman College at Muzaffarpur would have ceased to exist if it had not been for the timely assistance given to them by the Government and the local officials, for which the people of Bihar are under a debt of gratitude to Government. But it cannot, at the same time, be denied that the colleges are still in sore need of financial help and the Biharis look up to Your Honour to come to their rescue.

"*Patna Collegiate School.*—The hired building with a small compound, in which the school is located, is quite unsuited to the requirements of a Government public school. A site, as I am informed, has already been selected for it, and although this is not the time when Government can take up the matter, it is prayed that it be taken up as soon as circumstances permit.

"*Patna Training College.*—This college was opened by Government on the 12th October, 1908, to prepare candidates for the Licentiate of Teaching Examination of the Calcutta University. This is the first institution of its kind which has been established in this part of the country, and I am glad to say that its importance and usefulness have been recognised and appreciated. I may therefore take the liberty of urging upon Government the necessity of increasing the usefulness of the college by enabling it to open the Bachelor of Teaching class, which can be done by providing for another Professor for the college on Rs. 200 a month—the present teaching staff consisting of a Principal and a Professor. I have been informed that there is a saving of Rs. 1,200 a year out of the Government grant to the college; and to meet the present need, a grant of only Rs. 100 per mensem is required.

"*Patna Female Training College.*—Being a member of the Advisory Committee in connection with the Badshah Nawab Razvi College for the training of female teachers, I have had opportunities of gauging the feelings of the respectable classes, especially of the Muhammadan respectable class, in respect of female education. Rightly or wrongly, the Muhammadan respectable classes are averse to sending their girls to schools. The Bankipore Government Girls' School, opened in, I understand, 1908, and amalgamated with the Badshah Nawab Razvi College, and now forms a practising school for female teachers who receive their training in the college. There are Muhammadan and Hindu sections in both the college and school. In the Budget estimate for 1910-1911, I find Rs. 17,600 provided for training schools for females at Bankipore, and Rs.2,000 allotted as a grant for Muhammadan female education in Patna. Thus it is that a pretty large amount is provided for female education in Patna. I from my own experience can say that neither is female education making headway in Patna, nor do we get a good return for the money spent over the matter, and I beg therefore to suggest that either house-to-house teaching be encouraged by strengthening the staff of peripatetic female teachers, or that, if such teachers be not available, more qualified assistants be given to the Principal of the college to assist her in her rather difficult task of training female teachers.

"*Agricultural and Industrial.*—Your Honour is well aware that an agricultural and industrial exhibition is held at Bankipore once a year. But much of the educative value of the exhibits collected on the spot is lost on account of there being no proper place at which they can be permanently kept, and I therefore suggest that, if possible, a permanent building be provided where the exhibits might be kept and the building kept open to the public."

The Hon'ble RAI SITA NATH RAY BAHADUR said :—

"May it please Your Honour,—This is the first time that different classes and sects representing different interests have been privileged to elect representatives to this august body, and this is the first time that a representative of Indian commerce has been privileged to occupy a seat here.

"It is indeed a matter for sincere congratulations that not only has the numerical strength of the Council been materially enlarged, but what is more gratifying, a preponderance of non-official members has been very appropriately conceded in the Provincial Council.

[*Rai Sita Nath Ray Bahadur.*]

"It is no small concession, at least it is somewhat novel and unusual, that members should not only be allowed to move resolutions with reference to the work of every-day administration, but also empowered to make recommendations for modifying or altering the Budget within certain limits.

"For these concessions, for the very liberal and generous measures of reform we are indeed deeply grateful to His Excellency the Viceroy and the Right Hon'ble the Secretary of State for India, whose names, I dare say, will remain enshrined in the hearts of a grateful people.

"But, however otherwise generous and liberal, this Reform Scheme is not altogether free from defects.

"The first defect that I beg to point out in connection with the regulations framed under the new Council Act, is that there is no provision in the regulations for allowing the Indian mercantile community to elect a member to the Provincial Council, it having been left to the discretion of the Local Government to nominate a member from such community.

"Though my Chamber and myself are extremely grateful to Your Honor for having nominated me to represent the Indian commercial community on this Council, what I beg to submit is, that while to zamindars and other classes and communities and local bodies the right of election has been spontaneously conceded, I for one cannot conceive why the same concession may not be granted to the mercantile community.

"But it is said that the difficulty of forming a suitable and workable electorate from the mercantile community is very great: to that my reply is, that as in the case of zamindars, the payment of a certain amount in the shape of Government revenue or cesses, and in the case of the Muhammadan community, amongst others, the payment of Rs. 50 a year for income-tax, has been made the basis for investing one with the franchise of election, so in the case of the Indian mercantile community a suitable electorate may be formed of those who pay, say, two hundred rupees a year for income-tax on account of trade and commerce alone. Till such an electorate can be formed, I hope and pray the right of election may be conceded to the Bengal National Chamber of Commerce.

"Another defect in the regulations that I would take the liberty to point out is, that they have ignored altogether the great and important body of the Calcutta house and landed proprietors, the yearly income of some of whom ranges from one lakh to ten lakhs of rupees. While in the mufassal towns and rural areas payment of very small sums for municipal rates and of equally small sums for cesses enables people to become members of Municipalities and of District Boards, respectively, and thereby to become electors for Council election, it is a matter of regret that no privilege should have been conferred upon and no account taken of the great and influential body of the Calcutta house and landed proprietors in the matter of Council election. Nor has, I regret to observe, any value been set on the possession of University qualifications.

"I have taken the liberty to make these observations, solely with a view to attract Your Honor's attention to the defects in question so that they may be rectified in time for the next election.

"These and other defects of a like nature are no doubt due to the very hurried way the regulations were framed to bring the Council Act into operation within a certain limited time.

"I have no mind to weary the Council with a long speech, but as the only representative of Indian commerce in Your Honour's Council, I should be failing in my duty if I were not to draw Your Honour's attention and the attention of your Council, to a subject which is so closely allied to commerce and which lies at the root of all commercial prosperity—I mean the subject of technical education, in which my countrymen feel vitally interested.

"In view of the degeneracy and decay of the once flourishing arts and industries of the country whose exquisitely finished products were once objects of admiration and found a ready sale in all the civilised countries, and which

[*Rai Sita Nath Ray Bahadur.*]

in return brought large sums of money, which tended so much to support in ease and comfort various classes of people engaged in different arts and industries, and in view of the various classes of people who formerly subsisted by the indigenous arts and industries having in consequence been thrown out of employment and thereby swelling the number of the unemployed and unoccupied, which, I need hardly say, is one of the root causes of the present discontent, it is of the utmost importance both to the Government and the people at large, that something should be done for fostering the awakened spirit of industrial enterprise which is so much in evidence now, and for resuscitating the decayed and decaying arts and industries of the country.

"There is such a keen desire among our countrymen for scientific and industrial education that a number of our young men for want of facilities here have under the auspices of the Association for the Advancement of Scientific and Industrial Education in India to be sent every year abroad, namely, to England and other European countries and America, and even to Japan, for learning some useful arts and industries there, but the funds at the disposal of the Association for the Advancement and Promotion of Scientific Education in India are so limited, that only a limited number, namely, sixty or seventy out of several hundreds of candidates, can receive assistance from the above Association.

"It is a matter of regret that for want of proper scientific and industrial educational centres here our young men should be obliged to go abroad even for learning such ordinary things as soap making, manufacture of matches, pencils and other common things; but how few can afford to go to foreign countries and pay the high costs of living there!

"In reply to a resolution which the Hon'ble Mr. Mudholkar moved in the Imperial Council for the establishment of a Central Technological and Polytechnic College in India, the Hon'ble Sir Harvey Adamson was pleased to observe that the establishment of such an institution for all India at an initial expenditure of nearly a crore of rupees and of a yearly recurring expense of seven or eight lacs of rupees, was quite superfluous and the idea itself was extravagant, for the various Provincial Governments had been doing and might be trusted to do all that was necessary to meet the requirements of their respective Provinces.

"But I find in the Budget that only Rs. 59,000 has been allotted to meet the yearly cost of technical and industrial schools in the premier Province. I need hardly observe that in such a large province with a population of 540 lakhs, this small sum divided among different centres and diverted to different purposes and objects can hardly be enough to impart sufficient instructions in any single branch of any art or industry.

"No doubt over three lakhs of rupees are yearly spent for the maintenance of the very useful institution called the Civil Engineering College at Sibpur, which not only teaches civil engineering but also includes in its curriculum practical training of a useful character But, Sir, the Civil Engineering College at Sibpur is altogether a different thing from a Technological College.

"I cannot believe that a civil engineering college or a weaving school can satisfy the growing requirements of a large Province like this or satisfy the cravings of its people for industrial education.

"We earnestly hope and pray to Your Honour that adequate provision may be made in the near future for making arrangements by the establishment of a suitable college for imparting technical instructions in such branches as the people may show their aptitude for, and as are likely to promote some useful arts and industries."

[*Babu Braja Kishor Prasad.*]

The Hon'ble BABU BRAJA KISHOR PRASAD said:—

"Your Honour,—I feel it my duty to thank the Government for the introduction of the new method of discussing the Provincial Budget. Under the previous practice the Council could not get an opportunity of discussing the different heads and groups of heads of the Budget separately as has been done this year. In the previous years the Budget had to be dealt with by the Council in one day in a general discussion, ranging over the whole field of administration. The introduction of the new system of discussing the Budget twice—once as the revised Financial Statement, dealing with the estimates separately under different heads, and then as a whole—will give greater and wider opportunity to the Members for making suggestions and offering criticisms.

"But, Your Honour, I would like to suggest that copies of the Financial Statement should be supplied to the Members at least two weeks before the first discussion to enable them to study it thoroughly and to prepare themselves. This year most of the muffassal Members received the Financial Statement as late as the 7th of March, and were asked to send their Resolutions, if any, by the 8th of March, the discussion being fixed for the 12th of March. It was really impossible for them to go through the Statement in a few hours and to formulate their Resolutions within that time. This has very much handicapped the Members in the preliminary discussion of the Budget, at which stage only they could move Resolutions. Many who wanted to do it could not do so for want of time. In view of these considerations I hope Your Honour will accept the above suggestion.

"As to the method of preparing the Budget itself, I have to offer a few remarks. As prepared now, it contains many items of lump sums, the details regarding the allotment of which are not yet known to the Members, and so any discussion about them is impossible; for example, we find on the expenditure side an item of Rs. 11,80,000 shown in the Budget as grants-in-aid under the general head of Education. Nowhere is it shown in the Budget how, or in what proportion, or to what the said sum is to be allotted. Had the details been shown, we would have been in a position to discuss it. Similarly, it does not appear from the Budget as it stands now what sums, if any, are going to be given to the various colleges as maintenance grants, etc. To make the discussion on the Budget more real and to give the Members a more effective voice over it, I would suggest that in future fuller details should be given to make it more intelligible. Excepting those of the Hon'ble Members who happen to be on the Finance Committee and the Official Members who are in charge of the different heads, the others are kept quite in the dark as to many important items by the present method of preparing the Budget.

"Coming to the Budget itself, I would like to say something as regards Education, with special reference to Bihar.

"The most important question affecting the welfare of India is the question of education. It is of the highest importance. Government has of late years been paying some attention to the improvement of education imparted in colleges, but little or nothing has been done to effect any improvement in the condition of secondary education imparted in our schools. Yet it is these schools which form the basis of the colleges, and if the basis be weak, there is always the danger of the superstructure tumbling down. Our zilla schools urgently require improvements in the following directions:—

"The strengthening of the teaching staff by appointing an adequate number of competent teachers.

"In this respect our zilla schools are much worse off than they were a few years ago. We have to note with much regret that, since the last few years,

are has been a gradual weakening of the teaching staff of zilla schools in har. Ten years ago there used to be no less than four graduate teachers a zilla school in Bihar, and now there are hardly two graduate teachers in ast of the said schools. And this state of things continues in spite of the solution adopted unanimously at the Head Masters' Conference at Bankipore, pported by the Inspector of Schools. The other day it was admitted by the on'ble Mr. Gourlay in this Council that "it is a fact that there are fewer aduates in the zilla schools in Bihar at the present time than there were ten ars ago". But the reason assigned by the Government for this paucity in e number of graduate teachers in zilla schools is that "the supply of Bihari aduate teachers has been insufficient". This, however, is not the fact. ere are lots of Bihari graduates ready to accept service in the Education partment, but certainly they are not available on the low pay of Rs. 30 month. Improve their pay and prospects, and they would gladly join the partment. I would, therefore, suggest that their initial pay should be . 50 per month.

"Improvement in the pay and prospects of school-teachers.

The question of improving the condition of secondary schools is imately connected with the question of improving the pay and prospects teachers. Teachers of zilla schools are the most ill-paid officers ving under the Government, while it is they who hold the really most ponsible positions. The education of our boys is entrusted to them. d whether a boy is to turn out a good or a bad citizen of the British pire depends on the sort of education he receives in his younger days. is, therefore, very necessary to see that the teachers in our schools are good n and work with whole hearted zeal and enthusiasm.

The case of the teachers in the Lower Subordinate Education Service ery pitiable. They begin with a pay of Rs. 15 and have to wait for ten ars without any prospect of any increment. How can we consistently pect a teacher with such a low pay to work efficiently?

"The case of head-masters requires special attention. We find that Sub-puty Collectors begin with a pay of Rs. 100; and even some of the nisterial officers, such as sheristadars, nazirs and others, draw Rs. 100 as their nimum pay. But the head-masters of zilla schools, who occupy far more ponsible positions, have to work for Rs. 75 or Rs. 60, or even Rs. 50 a nth. The pay of head-masters should not be less than Rs. 150. This is the opinion of the University of Calcutta and of the Bengal Chamber Commerce who were consulted some time ago by the Government of ia on the subject of secondary education.

"Sound education is the true remedy for all distempers. Zilla schools uld serve as models to other schools. A very able article on the subject he prospect of school-teachers appeared in the *Behares* of the 7th January, 0, and I would most earnestly draw the attention of the Director of Public truction to it.

"A scheme for the improvement of secondary education was drawn up by Hon'ble Mr. Earle. It requires a recurring expenditure of Rs. 16 lakhs. do not know when this scheme is going to be given effect to. It is said funds are not available for it. But as I said the other day, education uld be the first charge on the public revenues of a country. Some provision uld have been made in the Budget for giving effect to the said scheme, ch is of paramount importance to the people. However, I hope that at the of the next financial year, when the Budget for 1911-12 will be prepared, Government will be able to find money for giving effect to the said eme.

"Coming to our colleges, we are sorry to find that due attention has no been paid to the requirements of the Patna College. There is no B. A. clas in Philosophy; neither there is an M. A. class in any subject. This is al due to the want of Professors, as was practically admitted by the Hon'bl Mr. Gourlay on the 12th and the 14th of March in this Council. Though adminis trative sanction has been given for the construction of the Laboratory building of the Patna College, yet, as was said by the Hon'ble Mr. Gourlay in thi Council, "it has not been found possible to provide funds for it during 1910-11". The Government also says that "no increase in the staff of the Patna College is practicable".

"We see that the Government maintains five colleges in Western Bengal, viz., the Presidency College, the Sanskrit College, the Calcutta Madrassa, the Krishnagar College and the Hugli College, at an enormous expense. But it is very unfortunate that in Bihar the Government is unable to maintain even one college in an efficient condition. In view of the very large contributions of Bihar to the provincial revenues, I believe the Biharees have a right to demand that the Government should spend larger sums of money on education in Bihar than it has been doing till now.

"The unsatisfactory condition of the Patna College was brought to the notice of Sir Andrew Fraser, the late Lieutenant-Governor of Bengal, in August, 1908, and he was kind enough to say that "a scheme is in progress for bringing the Patna College up to the highest condition of efficiency". What has become of the said scheme we want to know, and I would request the present Government to redeem the pledges given by the late Lieutenant-Governor. We all expected that provision would be made in the Budget for meeting the demands of the Patna College.

"As regards the private colleges in Bihar, of which there are four—three first-grade, viz., B. N. College, Bankipore, T. N. Jubilee College, Bhagalpur, and B. B. College, Muzaffarpur, and one second-grade college at Monghyr, the Government does not seem to have awakened to its due sense of responsibility. The Government helps the private colleges with grants every year which are ordinarily of four kinds, viz., maintenance grant, building grant, hostel grant, and the Imperial grant. Leaving aside the Imperial grant, which cannot be properly called a grant by the Provincial Government out of the Provincial revenues, we have left the other three grants. Of these three, the maintenance grant seems to be the most important. To take it up first, we find that in the year 1906-07, out of a total maintenance grant of Rs. 37,425, Bihar colleges got not a farthing, the whole amount being given away to Bengal colleges; in the year 1907-08, out of a total of Rs. 59,380, Bihar got only Rs. 2,200; in 1908-09, out of a total of Rs. 68,730, Bihar got only Rs. 2,400; and in 1909-10, out of a total of Rs. 68,330, Bihar got Rs. 2,400. In other words, in all the four years under review, Bihar got only Rs. 7,000 as maintenance grant out of a total maintenance grant of Rs. 2,33,868. If side by side with this we take up the individual colleges of Bengal, we see that in these four years St. Xavier's College got Rs. 21,600, Midnapore College got Rs. 21,768, Bangabasi College got Rs. 33,500, Metropolitan Institution got Rs. 21,600, L. M. S. Institution, Bhowanipore got Rs. 12,000, and General Assembly's Institution and Duff College got Rs. 74,000 as maintenance grants.

"To take up the building grants in these years, we find that Bihar colleges did not get a farthing out of a total building grant of Rs. 62,271, which was divided amongst the St. Xavier's, the Midnapore and the Bangabasi Colleges.

"Out of a total hostel grant of Rs. 19,789, Bihar got only Rs. 1,124.

"One has to read these figures to be convinced of the treatment meted out to the claims of the private colleges of Bihar. The Government certainly

owes an explanation to the people of Bihar for this neglectful treatment of their educational claims.

"The maintenance and the hostel grants of Rs. 7,000 and Rs. 1,124 each given in the said four years were received by the Bihar National College. Not a single penny has yet been given to the Bhumihar Brahman College of Muzaffarpur either as maintenance or building or hostel grant. The people of North Bihar whom I have the honour to represent are doing all in their power to raise money to meet the needs of the College. Through the very kind efforts of Mr. Greer, the Commissioner of Tirhut, who takes much interest in the Institution, the Trustees of the College have been able to raise a sum of Rs. 1,60,000 and a monthly subscription of about Rs. 600 for current expenses. This shows what genuine efforts the people and the local officials are making towards improving the College. Mr. Greer would not have associated himself with the people in raising money for the College had he not seen the necessity of a first-grade college in North Bihar. I believe this is known also to the Hon'ble Mr. Earle than whom a better official benefactor of education in Bihar the Biharis has not ever had the fortune to have. The present satisfactory financial position of the Bihar National College is all due to him. And we now not how to repay the gratitude we owe to the Hon'ble Mr. Earle and to Mr. Greer for all they have done and are doing for the education of the Biharees. To return to the subject, as the money and the monthly subscriptions raised by the Bhumihar Brahman College are not sufficient to meet the demands, the Trustees have applied to the Government for a grant of Rs. 33,000 for building and Rs. 800 a month for current expenses. They are very strongly supported by Mr. Greer. But I am very sorry to find from the reply given to me by the Hon'ble Mr. Gourlay to my questions about the College that "the Government does not see any possibility of giving the grant requested". Even if the Government is not going to give us Rs. 33,000 for building as requested, there is no reason why a sum of Rs. 800 per month for current expenses should not be given, particularly when we have seen from the figures quoted above that most of the private colleges in Bengal have been getting substantial amounts as maintenance grants every year. Some of these colleges have been receiving as much as Rs. 1,000 per month, *i.e.*, Rs. 12,000 a year as maintenance grant. And when the Bhumihar Brahman College comes forward and asks for a maintenance grant of Rs. 9,600 only a year, the Government cannot reasonably and consistently say no, but ought to readily help it, as it has been helping the other colleges. I earnestly request and hope that Your Honour will give favourable consideration to the claims of the Bhumihar Brahman College, which has amply justified its existence as a first-grade college by turning out a good number of graduates in a few years of its existence. Some provision ought and should have been made in the Budget for it.

"Bihar has now come to occupy a new and important position in the Government of the Lower Provinces. Looking both to its area and its population in the Government of the Lower Provinces, and also considering its backwardness in education and its neglected condition in the past, this state of affairs can no longer be justifiable, and I would respectfully submit that Your Honour will be pleased to direct that the expenditure on education in Bihar should be commensurate with its new position as also with its contributions to the revenues raised in the Lower Provinces. Your Honour, the complaint that the Government has neglected the education of the Biharees in the past is not ill-founded, as will appear from the admission made by the late Lieutenant-Governor in August, 1908, at Bankipore, when replying to an address presented by the people of Bihar. When requested to spend larger sums of money on education in Bihar, His Honour observed: "the fact that Behar has probably been to some extent neglected in the past makes such a demand especially reasonable in this case", and I hope the present Government will fully endorse the views of the late Lieutenant-Governor and fulfil the promises given by him to the people of Bihar".

[*Kumar Shiba Nandan Prasad Singh.*]

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH said:—

"Your Honour,—I do not think that the Budget laid before this Council by the Hon'ble the Financial Secretary calls for the making of long speeches and the multiplication of criticism. I shall confine myself to offering, with Your Honour's permission, a few brief suggestions. I couple these with my congratulations to Your Honour's Government upon having come with credit and fair fortune through a period of financial stress, and upon the brighter prospects that the new year seems to hold out. It is the earnest prayer of all that nothing may happen, either in Bengal or in other parts of the Empire, to cloud that fair prospect; that the rain may be plentiful, and favourably distributed, so that neither drought nor flood may again dismay the farmer, and deplete the exchequor of the Government; that the equally ruinous and costly political unrest and criminal conspiracies may cease from the land, permitting the increase of trade, the growth of renewed confidence and kindliness, and the decrease of expenditure necessitated by the war against sordid, wasteful political crime—expenditure which is responsible for no small part of the shortage which has to be faced in India to-day.

"The Budget we consider to-day might be more satisfactory, it is true. It is always sad when the meal in the bin is so low that the bottom shows through. It might have been worse, judging from the original estimate, but for the liberality of the Government of India, itself hard put to it for the balancing of income and outlay, and for the good fortune that enabled a mournful '0' budgetted for as the closing balance, of 1909-10, to be converted into an effective, if miscroscopic, closing balance, enough to go on with, even had the Imperial Government been unable to come to our help. Still, good fortune or ill, affluence or want, we have the satisfaction of knowing that with a tried and careful financial expert directing affairs, the best will always be made of any situation. Studying the budget, we are forced to the conclusion that the best has been made of it in the present case. Expenditure has evidently been arranged for with anxious economy, regard being had to the securing of proper efficiency—though I should have not been sorry to have seen a more liberal treatment of primary education. Education is always an important question. It is gratifying, however to find that generally the expenditure under this head has kept pace with the increasing demands of a progressive community. Any expenditure incurred upon the educational wants of a community should be regarded as reproductive. It is repaid in the intellectual, moral and material advancement of the community, and lays the solid foundation of a nation's progress. Hoped-for income is generally estimated for with a sane conservatism, that is in pleasing contrast to the practice of other days. It is good to see that though everything points to a year of prosperity and plenty, special caution is observed regarding the possible yields from stamps and excise. An equally great degree of caution might with advantage be observed regarding land revenue. This, though the chiefest of our sources of income, is so much at the mercy of the elements, so liable to fluctuations and disappointment, that it demands specially gentle treatment. This was pointed out in previous years, and those who neglected the advice have the lean years that followed to reflect upon.

"While upon the subject of land revenue, I should like to voice a sentiment—it does not amount to a fear or doubt—entertained by a very large class of persons in these provinces. I refer to the hints that are constantly being dropped in unexpected places, though they are never made by any responsible official person, to the possibility, or desirability, of modifying or abolishing the Permanent Settlement of Bengal. The subject has acquired fresh vitality since the adoption of the new policy wrecking India's lucrative and legitimate opium trade. The lost revenue has to be made good from home resources. The task is no easy one. As a result, we see the invasion of all kinds of other interests, and the casting of covetous eyes upon permanently-settled Bengal. This idea of a *Bargi* raid upon Bengal may never find any to turn it into fact. Still it cannot be lost sight of as a possibility.

"We have very recently heard a distinguished and talented Indian gentleman, a non-official member of a higher Council, give utterance in

assembly to the opinion that Bengal and, as others consider by implication, Bengal land, could be made to pay more than is now the case. In order that this temptation may be removed as far as possible from the persons who have to see to the financing of India, it is necessary that we should exercise the utmost vigilance upon our outgoings, spending with a careful hand always, and developing other and newer sources of revenue. Here I may add that all must welcome the improved outlay upon agricultural experiment and teaching. It all means in the end better agricultural economy, better results, less loss, more stable revenue, above all a happier, more prosperous, population.

"I may congratulate the Government upon the increased financial freedom now secured to Divisional Commissioners, and the attention their recommendations receive. The men on the spot are more likely to know the needs of their charges than the most accomplished of Secretariat officers, though the Financial Department has the difficult and thankless task of balancing claims. Though the Calcutta Improvement Trust Fund in the bank would help to improve the mufussal, none will grudge the metropolis the happy day that sees the long-deferred, oft-debated improvement scheme begun at last. The city, and specially the northern quarters, is badly congested. The need for improvement can hardly be exaggerated. The effect of this congestion upon the health of the inhabitants is deplorable. One result of the carrying out of the improvement scheme ought to make itself felt in succeeding Budgets. With a more healthy population there ought to be fewer demands for the extension of the Calcutta hospitals.

"I beg to invite the attention of Your Honour's Government to the question of house accommodation for the Executive and Judicial officers of Government. A satisfactory solution of the question is a difficult problem, and must necessarily involve a very heavy outlay. Nevertheless, considering the necessity of housing these officers in better quarters than they are now able to obtain, a necessity rendered acute in view of the prevalence of plague, it is a matter well worth the consideration of Government. I trust that something may be done in this direction as funds permit.

"The special assignment from the Imperial revenues consists of a grant of Rs. 4,50,000 for sanitary improvements in the province. This is a most useful grant. It enables the Monghyr drainage scheme, a measure urgently needed as a complement to the water-works, to be carried out. This would otherwise not have been possible for years to come. The people of Monghyr owe a deep debt of gratitude to Your Honour for a very liberal grant of a lakh of rupees, which puts a crown to your previous useful generosity. The water-works and drainage system of Monghyr will be a lasting monument to Your Honour's interest in that ancient and historic town. Your Honour's Government has in this matter made a very excellent investment, and Monghyr will soon advance with a rapidity that will repay the money and trouble spent upon it. I beg to add my own thanks to those of the people of Monghyr for this generous and timely help."

The Hon'ble Mr. Das said :—

"Your Honour—I should like to associate myself with the terms of felicitations which I have found in some of the printed speeches regarding the work that has been done by the Hon'ble Member in charge of the Finance of this province. Without depriving him of any share of the praise that is justly due to him, I think I may be permitted to associate the names of other Hon'ble Members, both official and non-official, who were in the Finance Committee and helped in framing the budget. While talking of the budget, I should, with Your Honour's permission, draw Your Honour's attention to some inconveniences which non-official Members specially felt on account of the shortness of time and absence of opportunities in taking their due part and share in the discussion of the budget. I can never forget nor can I give adequate expression to my feeling when Your Honour announced in the old Council Chamber the advent of this new reformed Council. Those words were that to rule the country for the people was a thing of the past, and the country should be ruled through the people. That inspired in us a hope of the dawn of a day which we all looked for. The budget is the most important work that this Council has

to do. It is really an adjustment of the wants and the needs of the different provinces under Your Honour's Government, and of the diverse communities that live under Your Honour's rule. Since I heard those pregnant and memorable words from Your Honour's lips in the old Council Chamber, it has been my sincere and earnest desire to co-operate as much as lies within the humble power of an insignificant Member like myself with the Government with a view to see to the fulfilment of the noble desire so forcibly expressed by Your Honour, and I have no doubt that the same feeling is experienced in a greater degree by the other Hon'ble Members, I mean the non-official Members of this Council, who on account of their better education, wider experience and perhaps better tact are in a position to render more valuable help in the work of the administration. But, Sir, in order that the non-official Members' services may be of any practical help to Your Honour's Government, it is necessary that they should have time and opportunities to make suggestions of a practical nature. I got a letter from the Secretary on the 5th of March asking me to send in my speech on the budget, so that it would reach him at 10 A.M. on the 7th. I got that letter before I received the budget. The budget reached me in the morning of the 6th. According to the present communications between Cuttack and Calcutta it was simply impossible for me to send a speech or to make any suggestions. Of course I could have done so, if I had sent it within two hours of the receipt of the budget. The budget is the result of the deliberations of several official Members of this Council, who are the ablest officers under Your Honour's Government belonging to a service which has been pronounced as the ablest service in the world. And the budget did not contain some of those explanatory remarks which were made on the day the Revised Financial Statement was placed before the Council. Of course it would be a very great compliment to a person to say that he was prepared to make suggestions or to supply omissions, which were the result of an oversight in a budget, in a couple of hours; but in my most ambitious moments I could not claim such a compliment. Sir, if the explanatory remarks did not actually accompany the budget, there would be resolutions and suggestions which would be wanting in the nature of being practical or which would not be desirable when read in the light of the explanatory remarks that followed. Some of those explanatory remarks were considered as taken as read. My humble submission before Your Honour is that while we non-official Members are willing to place at the service of the Government all our abilities and such time as we can spare, we pray that we should be given time and opportunities not only to make our suggestions practical, but also to save ourselves from undeserved criticism from the outside world. Impracticable suggestions and resolutions, Sir, are considered as coming from non-official Members who are determined to take an attitude of hostility towards Government. It is highly desirable that this impression should be avoided. My suggestion before Your Honour is that the budget may be introduced at a sitting of the Council with the explanatory remarks such as are necessary to explain the budget, and then the suggestions and resolutions may be taken up afterwards at a subsequent sitting, perhaps after an interval of three or four days or such time as would be available to us under the rules.

"Then the next matter to which I should refer, is the remarks which were made by the Hon'ble Mr. Gourlay with regard to the works done by the Agricultural Department. He gave us a very lucid account of the work that has been done by that department. He told us what has been done in the form of researches, experiments, demonstration farms, and he told us also that it was in contemplation to employ a teaching agency to induce the agricultural population to adopt the improved method of cultivation. But, Sir, here a question naturally suggests itself. Have we taken into account the conservative mood of the agriculturist? Is it not a fact that he is inclined to look with suspicion on all innovations? I know of a young man who is employed in some office under the Agricultural Department and who is full of zeal in pushing the claims and the interest of that department. I suppose it is one of his duties to induce the ordinary cultivator to adopt the improved methods of the department, but I know also that he has not been able to influence his parents to adopt his new methods. The whole family lands are cultivated according to the old methods. In these

[*The President; Babu Baikuntha Nath Sen.*]

circumstances I beg to suggest that it would be more advantageous if little experimental farms are established and attached to village schools, and vernacular leaflets describing the results of the Agricultural Department's experiments in simple vernacular are placed in the hands of the boys and they are allowed to make the experiments. The parents should be allowed to visit the places to see what the children are doing, and consequently that would be a better means of disseminating the result than we can possibly get employing teaching agencies. I would also suggest, Sir, that some sort of industrial teaching be introduced into these village schools. Of course, there are visible signs of an industrial awakening in this country; it is most remarkable that though agriculture is the most ancient industry, and an established industry, which actually gives livelihood to 80 per cent. of the population, in spite of this, I have not seen any proposal to start an association to develop the agricultural industry nor any joint stock company formed to help the cultivator. Of course this is not the place here to discuss why that is so, but the fact remains. The present system of education is calculated to degenerate the young villagers—the artizan's sons—who have the idea that manual labour is something which should be avoided. One would expect that the literate son of an illiterate artizan, after he had received some elementary education, would apply that education to the improvement of the father's craft; but instead of that, that son always says that it is degrading to engage himself in manual labour. This is the lamentable result of the present system of education, because the present system does not train the hand with the head, and therefore it is necessary to remove this false impression that the hand should be trained with the head. Sir, tradition says that when Kalapahar went to Orissa, at the news of his march the hands of idols dropped off. It seems that as soon as education enters a village, the hands of the artizans drop off. The education—elementary education—has produced that effect, Sir, and with this industrial awakening there is a great demand for skilled labour, and we cannot have skilled labour unless it is fed from a literate labouring class which can only be supplied by these village schools, and skilled labour is as good as the clerk's work at the desk. As soon as the artizan's son receives some education, he despises manual labour and does not like to work with his hands. He thinks that it is not proper for him, after having received some education, to use his hands though his father employed his hand in earning his bread"

The PRESIDENT said:—

"I fear that the Hon'ble Member is wandering a long way from the budget."

The Hon'ble MR. DAS said:—

"Sir, the budget contains a grant for primary education, and I wanted to draw Your Honour's attention to this important subject, and to submit that a portion of the grant should be utilized to give such a turn to elementary education as would meet the demands of the time. If I have not been able to place it before Your Honour, I may be pardoned. I was just trying to speak for the agricultural and for the artizan classes who are really deaf and dumb millions, who are deaf because they do not hear the speeches and deliberations of the Council, and dumb because they have no voice here, and I place their grievances before Your Honour for such redress and remedy as they may justly deserve."

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"We have been invited, as I understand, to have a discussion on the budget for the year 1910-11. In the old Council Chamber a certain procedure was observed. As regards the procedure to be followed in this enlarged Council, with commendable ability and lucidity the procedure to be observed with regard to the discussion of the budget was explained by the Hon'ble Member in charge of the budget, and that procedure has been followed. The budget was laid before the Council on the 26th March, an opportunity having been given to the different Members to discuss the budget, or rather

the different heads or groups of receipts and disbursements, and after the Revised Financial Statement had been placed before the Council and the Members had had an opportunity of moving resolutions, though much advantage, could not be taken by them of this opportunity, on account of the short time they had to study the Revised Financial Statement. However, the budget has now been placed before the Council in a form when no practical gain can be had, and no profit can be made by making any discussion or offering any remarks with regard to the different heads and groups. At the same time, I venture to submit that in the old Council Members had the privilege on the occasion of the presentation of the budget of discussing and of offering observations and remarks and suggestions with regard to the general administration of the province, and, Sir, I believe that in this enlarged Council also the Members enjoy the same privileges. At least, in the rules I do not find anything that has curtailed that power, and it is on that belief I ask Your Honour's permission to offer some remarks with regard to the general administration of the province. The needs, wants and grievances of the people, I venture to submit, can be placed before Your Honour at this stage with suggestions for the removal of those grievances, and it is in that belief too that I would take the liberty of pressing certain questions before Your Honour, the final decision of which is dependent on the Supreme Government. My justification in placing these matters before Your Honour lies in the belief that the Supreme Government and the Provincial Government form one whole administrative machinery, and that any observations that are made before Your Honour will draw the attention of the Supreme Government, and that finally we may expect and hope better results. It is from a sense of duty and also from a belief as regards the privileges the Members enjoy, that while I was asked to send either a draft speech or notes, I had the honour to send some notes to our worthy Secretary, Mr. Wigley, and this morning I received a letter intimating that with regard to the notes that I sent, that Your Honour is not disposed to permit me to say anything with regard to the partition of Bengal. I may inform Your Honour most respectfully that I do not wish to say anything with regard to the political aspect of the question. My remarks with regard to the partition, if permitted to speak on that subject, would be confined to only fiscal matters and nothing else. Of course I would bow to Your Honour's decision, and I shall proceed as Your Honour is pleased to direct. With regard to the reform scheme and the reformed Council, I beg to submit that when the scheme by Lord Morley was announced and the constitution of the Council in accordance with the scheme was proposed, the public received the announcement with joy and entertained high expectations and hopes. In the despatch of His Excellency the Viceroy, in which he propounded a scheme and which, as it were, formed the basis of Lord Morley's scheme, His Excellency the Viceroy was pleased to observe that "the enlargement of the Legislative Councils and the extension of their functions to the discussion of administrative questions are the widest, most deep reaching and most substantial features of the scheme which we now put forward." Such was the scheme, and, I submit, great was the joy of the public and great were the expectations and hopes, but I deem it my duty to submit that after the regulations had been framed by the Governor-General in Council under the Indian Councils Act, 1909, a great disappointment has been caused. The special electorates for the special classes, I submit, are responsible for this feeling of dissatisfaction and disappointment. Representation by special electorates has minimised the liberalism of the scheme originally initiated and pronounced. As regards the special electorates, besides other objections which there may be with regard to the Muhammadan electorate, as far as my information goes, the Muhammadan community itself is not satisfied with the present system of electorate by selection of members to this Council. Then, as regards the separate electorates of the landholders, now I beg, Sir, to submit that the rules as framed do not indicate any intention on the part of the Government to exclude the tenure-holders."

The Hon'ble MR. SLACKE said:—

"I rise to point out that these remarks have no relation to the budget."

[*The President; Babu Baikuntha Nath Sen.*]

The PRESIDENT said:—

"The remarks of the Hon'ble Member are not relevant to the budget, and they are not strictly speaking in order, but he had given notice that he proposed to say something on this subject, and as the matter is of some importance, I think it better not to interpose. Therefore, I will not interfere to prevent the Hon'ble Member making the remarks he is making now, provided he confines himself to matters connected with the budget as closely as he can."

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"With regard to the landholders, I submit that the rules do not exclude tenure-holders, but the electoral roll, which has been prepared and in which tenure-holders find no place, gives rise to a certain misgiving. The landlords, *i.e.*, the recorded proprietors, have been considered as representing the masses of the agriculturist population. The zamindar, strictly speaking, is not in touch with the masses, as he creates a tenure under him, and by sub-infeudation various degress of under-tenures are brought into existence; the zamindar merely collects rents from the tenure-holder, and so there is no proper representation of the masses. There are some zamindars, no doubt, who, owing to their position in society, their wealth, their dignity and their co-operation in regard to works of utility and charity, are looked upon as leaders, but they are not to be regarded as natural leaders of society simply because they are zamindars.

"But there is one other feature in this connection, and that is that the owners of Calcutta house property have been altogether ignored; in that class there are educated men and men of position and respectability. But, having regard to what has fallen from His Excellency and also from Your Honour the other day, I think that these Regulations must not be regarded as final or incapable of amendment, and we entertain the hope that in future with further experience there will be such modifications of the rules as will give general satisfaction.

"I have now to congratulate Your Honour for the Executive Council which will assist Your Honour in the administration of the province, and which Your Honour's efforts alone have secured for this province, as I understand. We hail this measure of reform with joy, and I may say unbounded joy, and feel confident that unimpeachable and unexceptionable selection of Members will be made by Your Honour in order to ensure success.

"I should like to say a few words with regard to the financial relations between the Provincial Government and the India Government. While, of course, the time does not permit me to dilate upon these points, I beg to submit with due deference and a considerable diffidence that the financial relations between the Government of India and the Provincial Governments do not appear to be based on sound principles. Instead of the Government of India making assessments of revenue to Provincial Governments with special grants, the Provincial Governments ought to be allowed to enjoy revenue derivable from their respective provinces subject to contribution of a certain percentage of the revenue to the Government of India. These matters no doubt will come forward some day or other in due time for resettlement, and I have no doubt the question will be raised, and I make these remarks not to embarrass Your Honour but to strengthen Your Honour's hands, so that Your Honour may be in a position to put forward the views of the people before the Supreme Council in order to secure larger revenue for the benefit of the country on juster and more liberal lines. Unless larger revenues are placed at your disposal, we cannot expect administrative improvement or works of public utility. Then, if Your Honour permits, I should like to say a few words only with regard to the partition. It has been said that the increase in expenditure on account of the separation is not real. Formerly before 1906-07 the expenditure per head of the new province was . . . . . ."

The PRESIDENT said:—

"The Hon'ble Member is out of order."

[*Babu Baikuntha Nath Sen; Sir Bijay Mahtab, Maharajadhiraja Bahadur of Burdwan.*]

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"I bow to Your Honour's decision. The other day I had the honour to ask a question as regards the time when the separation of the Judicial and Executive functions might be introduced in Bengal. The answer that was given to me was not of a reassuring character, and I cannot hope that the system will be introduced within a measurable distance of time. However, I beg to submit to Your Honour that this is a measure of reform which ought to be introduced without further delay. We appeal therefore that steps may be taken for the introduction of this measure. I think that the past crimes which have been done by the anarchists or an apprehension of larger expenditure, and the possible weakening of the powers of the District Magistrate, should not stand in the way of giving this a trial.

"The next point to which I would beg to draw Your Honour's attention to, is about the pay and prospects of the members of both the Provincial, Judicial and Executive services. The question, I submit, is of importance, and under Your Honour's administration there are those capable officers who are dissatisfied on account of the defects with regard to their pay and prospects. That is a thing which should be put a stop to. I do not wish to say anything on that point, but I simply bring it forward that it may be considered hereafter.

"With regard to the expenditure contemplated by the budget, I beg to submit that greater efforts should be made for the prevention of malaria and for the improvement of sanitation. A great deal has been done by Your Honour last year, but greater things are still required. I plead specially for the district of Murshidabad to which I belong. Fortunately we have got two funds there endowed by Raja Rao Jogendra Narayan Roy Bahadur of Lalgola. He has endowed a lakh for the supply of drinking-water, from the interest of which eight wells are being sunk annually, and there is another fund of Rs. 50,000 for the improvement of sanitation generally. This is of course a drop in the ocean, but this fund was created with the the intention of inducing others to follow, and to induce the Government to take further steps. The Government has been following the principle of helping those who help themselves. The Murshidabad district would be justified in expecting a special grant every year from the Government under these two heads.

"I have almost finished my time. I may say one word more with regard to District Boards, which require some improvement, and the works of which have to be carefully watched. Being a resident of a mufassal village, I happen to know that the agriculturists, who bear the burden chiefly of these two cesses, do not enjoy adequate benefits from the District Board. Village roads are, generally speaking, neglected. Small allotments are made by the Local Boards, and no particular care is taken of the way in which the money is spent, and then there are no village roads connecting one village with another in seventy-five cases out of a hundred. This requires remedy. With regard to mufassal municipalities, the Chairman and executive officers ought to be given a freer hand, and there ought to be less strict supervision by the District Magistrates."

The Hon'ble Member was stopped at this point, as he had reached the 20 minutes' limit imposed by the President under rule 30 (*3*).

The Hon'ble SIR BIJAY MAHTAB, MAHARAJADHIRAJA BAHADUR of Burdwan, said:—

"Your Honour,—In the first place, I have to thank my Hon'ble friend, Mr. Wheeler, for his courtesy to us, the Members of the Finance Committee, in discussing the matters that have been incorporated in the Budget before us. As I was one of the members of that Committee, there is no need for me to take up the time of this Council by making any detailed observations on the allotments that have been made. I am glad to find that Your Honour has consented to give an amount for the improvement of the Darjeeling Zilla School. I need hardly remind Your Honour of the inconvenience we all felt in October last at the last prize distribution of the school. But this of course is not the only reason why this grant should have been made, for it being the only school in the Darjeeling district, it is essential

that the improvements which have been sanctioned years ago, should be proceeded on with.

"Regarding sanitation, I have only got one general observation to make. No doubt the municipalities in Bengal are grateful to the Government for the help that they receive. But there are certain municipalities, Sir, which do not receive the benefit by the one-third grant on the part of the Government. The general rule is that a municipality has got to collect, if there is a water-work scheme or drainage scheme, two-thirds of the amount required, and the Government gives the rest. But there are municipalities for whom it is very difficult to collect two-thirds of the amount required, and I only wish to bring this matter to the notice of Your Honour's Government, so that in special cases the grant may be raised to half the amount required. Taking into consideration the unhealthy condition of Bengal in general, I trust such grants will not be grudged.

"My hon'ble and esteemed friend, Babu Baikuntha Nath Sen, referred to some of the disadvantages of the landlords electorate. As Your Honour permitted him to broach that subject in the Council, though it was not quite relevant to the Budget before us, I beg to make just a few observations. I do not wish to contend in this Council about the 'natural leadership.' It is a controversial question, and as such I shall leave it aside. But there is no doubt that, because the other side have had advantages over us for so long, they resent when they come in contact with capable men among the zamindars who are the born leaders of the people.

"Regarding the defects in the electorates, I think they can easily be dealt with departmentally after hearing from representative zamindars the real causes of complaint. With these few words, I beg to support the Budget as it now stands."

The Hon'ble Babu Hrishikesh Laha said:—

"Your Honour,—It would have been a matter of great congratulation if the first Budget that has been presented in the first session of the Reformed Council had been a prosperity Budget. But still we can congratulate Your Honour that notwithstanding the unfavourable position of Government, due to rise in prices, anarchical prosecutions and other adverse circumstances, the Government could present a progressive Budget. The prospect of plentiful crops and consequent fall in prices have enabled the Financial Secretary to divert a portion of the grain compensation allowance to useful purposes. But though prices have fallen to a certain extent, the cost of living is still dear. I would therefore beg leave to draw the attention of Government to consider the wages of small salaried servants, such as peons, etc. The question is a very large one and will involve additional outlay, but it is better to meet it in a way which will enable the Government to dispense with the grain compensation allowance altogether. It is indeed gratifying to observe that provision has been made for Rs. 1,10,000 in order to give effect to the recommendation of the Ministerial Officers' Salaries Committee for increasing the pay of the low paid ministerial officers. They are a class of overworked officers, and deserve encouragement.

"*Education.*—A liberal grant has been made towards the expenses of education, but I should be permitted to observe that the grant for primary schools for boys could have been increased to a greater amount than what has been allotted in the Budget. It is no doubt true that Government grants a further sum to the District Boards for this purpose, but it is considered too small to meet all the requirements, and grants-in-aid and prizes have to be withheld for want of funds. I regret to find that the allotment in respect of technical and industrial schools should be less than what was allotted in the Budget of 1909-10, and that no lump provision has been made in the present Budget for technical education as was done in the last Budget. There can be no doubt that there is a growing demand for technical education, and Government ought to satisfy it by increasing the number of technical schools, and thereby educating the people in the useful arts so as to enable them to provide for their every day necessities.

[*Mr. Dip Narayan Singh.*]

"*Sanitation.*—The allotment under this head has not received that consideration which it deserves. The provision of Rs. 2,33,000 is much less than the actuals of 1908-09 and 1909-10, and considering the number of people that are carried away every year by malaria, small-pox, cholera and plague, a larger sum should have been provided for coping with the ravages of these diseases, and I hope that the allotted sum may be spent to the fullest extent during the ensuing year. The provision of Rs. 2,00,000 for the supplementary purchase of cinchona bark will be of great practical benefit; and if facility is given to the sale of quinine, it will be of great help to the people both as a preventive and as a cure.

"The increased grant of Rs. 8,90,000 to augment their resources will be greatly appreciated by the District Boards. In this connection, I hope it will not be considered out of place if I ask that the Government may be pleased to issue orders that special grants should be made to the Union Committees which have been given larger powers under the Bengal Local Self-Government (Amendment) Act, 1908, 'in matters of improvement of water-supply and drainage, the regulations of buildings and conservancies, and the prevention of public nuisances.' In former years their sphere of usefulness was considerably restricted for want of funds; and if funds be provided, greater care would be taken for the initiation of works of rural sanitation on a larger scale. The present apathy which is so very apparent will very probably disappear, and intelligent interest will be taken for cleanliness and supply of good drinking-water.

"*Separation of the Judicial and Executive service.*—It is much to be regretted that Your Honour's Government have not yet been able to give effect to the scheme of separation of the Judicial and Executive services by making any provision for that purpose. If during the administration of Your Honour, who has got such a large-hearted sympathy for the people and such a keen sense of justice, the much-needed separation does not take place, then it is to be feared that the scheme will not be given effect to in the near future. If on the score of expense the scheme could not be carried out in all the districts, it could be introduced in some of them at least without entailing much cost upon Government. This would save disappointment, and the expectations regarding this much-needed reform would be realised to a certain extent."

The Hon'ble MR. DIP NARAYAN SINGH said:—

"Your Honour,—With Your Honour's permission I wish to make a few remarks on this year's budget that has been so ably placed before the Council by the Hon'ble the Finance Member. Sir, of all the privileges that have been conferred on the non-official members in this Council there is none which is more valued by us, which will be more jealously guarded by us, than the privilege of passing Resolutions on the Revised Financial Statement. To day's discussion, Your Honour, although it will serve a very useful purpose in so much as it will place Your Honour's Government in possession of the knowledge of the general wants and wishes of the people, will have no effect in altering the budget by a single pice. The time for that, was the day when the Revised Financial Statement was placed before the Council, and I beg to submit that on that occasion far too little time was allowed us to frame our Resolutions. I beg to request that Your Honour be graciously pleased to allow us at least two weeks for that purpose in the future. I assure you, I am not asking a day too much. To go through 70 or 80 pages of solid facts and figures which are generally embodied in this intricate though interesting and learned document, nothing short of the two weeks will be necessary. I have further to submit, Sir, that in the rules that govern the budget discussion sub-clause (*f*) clause 3, unnecessarily circumscribes the debate. It lays down that we may not criticise any decision of the Imperial Government in respect of Provincial finance. I beg to point out, Sir, that an occasion may arise when a certain grant made by the Imperial Governmemt for a specific purpose can, in the opinion of some of us, be better utilised for some other more pressing purpose. I do not see any harm, Sir, in discussing the matter in the Council and placing our recommendations on this point before the Imperial Government and asking them to reconsider their decision. Coming to the

udget itself, it is a matter for rejoicing that, on the whole, we stand better o-day than we did a year ago. Thanks to the large extra grant from the Imperial Government that Your Honour's Government received last year, and also to the courageous policy, if I am allowed to say so, of retrenchment and economy which Your Honour introduced in the financial administration of the province last year, we find that we are able to look forward to a more hopeful year and to a better closing balance than we did last time. Going through the revenue side of the budget, it is a matter of gratification that the Hon'ble the Finance Member has been cautious in estimating revenue from excise and stamps; although personally I think that the revenues under these two heads will be much larger than anticipated. I do not for a moment blame the Hon'ble the Finance Member for under-estimating the revenue, because in a Financier I consider it to be a fault on the right side to under-estimate revenue and over-estimate the expenditure; and I hope Your Honour that the closing balance will show that the Finance Member has erred on the right side of the expenditure sheet as well. Most of the other revenues are dependent on circumstances that are absolutely beyond our control, but with a hopeful prospect of expanding trade and with a good monsoon I hope we shall be able to show a better closing balance than the minimum of 20 lakhs. Sir, it is the expenditure side of the budget, however, which can more usefully claim the attention of the non-official members, and I am glad to say that in this year's expenditure side of the budget we have very little to say against any of the items budgeted. Of course, Your Honour, at first sight there are some allotments which appear very excessive and extravagant to the untrained eye. I refer to the amounts under the heads of Police and Law. These two items, Your Honour, seem undoubtedly very big this year, but in the present circumstances of the country I would be the last to ask Your Honour to exercise any drastic economy under these two heads. For the faults of a few the whole province has to suffer, and I only hope that when these temporary evils that have come upon Bengal have passed away, the temporary expenditure will not be allowed to remain as permanent charges on the revenue.

"In the expenditure under the head of Law and Justice, I notice the upkeep of the High Court is responsible for something like 14 lakhs and 53 thousand rupees. I have not been able to understand why, when both the Provinces of Western and Eastern Bengal benefit by the High Court, only Your Honour's Government should share the whole expense. I suggest that we should ask Eastern Bengal and Assam to contribute its fair share in the upkeep of the High Court.

"There are some lump sums allotted to various purposes, the details of which, I think, should have been put down in the Budget. The Hon'ble Babu Braja Kishor Prasad, in his speech which has been taken as read, has pointed out the item of 11 lakhs and 80 thousand rupees as grant-in-aid for education, and he has very ably pressed the claims of my province. I shall not recapitulate what he has said but simply join with him in the prayer that the province of Bihar may have due consideration when this grant of 11 lakhs and 80 thousand rupees is being distributed. In connection with this, Your Honour, I find that 59 thousand rupees has been allotted to technical education. In one of the speeches of one of the Hon'ble Members which has been taken as read, he has pressed before the Council the claims of the Association for the Improvement of Scientific Education in Bengal and I am obliged therefore to put forward the claims of a similar association that exists in Bihar. If this 59 thousand is spent over technical education and anything is to be given to Bengal, I submit that Bihar also has a claim over the grant. Four lakhs and fifty thousand, I find, has been set aside as a grant for the improvement of sanitation. The Hon'ble Kumar Shiba Nandan Prasad Singh has spoken about the needs of Monghyr in this connection, and I trust Your Honour will give full consideration to that municipality. Your Honour, the recent recrudescence of plague in Bihar places us in a most difficult position, and when you are distributing the grant on sanitation, Your Honour's Government will, I hope, have in view the fact that large sums will be necessary for the prevention of this disease.

[*Babu Kirtanand Sinha.*]

"The claims of higher education and sanitation are very great, but I am sure that Your Honour's Government will find some means of satisfying these demands in the years to come. But I confess, when the problem of primary education stares us in the face, I find no way of meeting this more pressing demand. To anyone who has followed the trend of public opinion in this country, to anyone who has observed the signs of the times, it is easy to foretell that in the near future the demand for primary education will be very loud and very persistent. It is all very well to say, Sir, that we must wait—that we must cut our coat according to our cloth, but when we consider that not only the countries of Europe and America but our neighbours in Asia are outstripping us in the race for knowledge,—when we find that the experiment of universal and free primary education is being successfully tried in a province of our own country,—I mean Baroda;—when we notice that the Government of Bengal is spending much less on primary education than the Provinces of Bombay and Madras, I think Your Honour will agree with me that there is some excuse for the impatience of the people. I do not know how this demand will have to be satisfied because it needs a larger amount of money than we can possibly spare under present circumstances. Whether Your Honour's Government will be compelled to ask the Imperial Government to take charge of the whole department of primary education; whether we shall be obliged to ask for much larger grants on this head; whether, even at the risk of a certain amount of discontent in the service, Your Honour's Government will be obliged to apply the pruning knife to the various branches of administrative expenditure, or whether in the last resort we shall have to take powers to levy a provincial tax for education—is not for me to discuss in the meeting to-day. I only know that we shall have to face this problem soon, and some means will have to be evolved to meet the legitimate demand of the people for universal primary education. I only wish the Government to take note of the shadow that has already been cast of coming events in the future. With these remarks I beg to support the budget."

The Hon'ble BABU KIRTANAND SINHA said:—

"May it please Your Honour—

School inspection and School management.—Looking at the different heads of expenditure under 'Education,' I am struck with the disproportionate expenditure on 'inspection' as compared to that on 'management' of schools. Fully admitting the value of inspection when kept within proper bounds, I mean when it is not allowed to run away into unnecessary and vexatious interference, throwing work in the schools off its accustomed grove and arresting its progress—fully admitting the value of inspection, I say,—in making the schools composed of good materials exert themselves and keep up to the requisite standard of efficiency, I am sure it is no specific for bad materials. It has not the virtue of the philosopher's stone of transmitting baser metals into gold; and unfortunately a number of schools that have to put up with unsatisfactory working materials is not small. In them we must try a different remedy, replace inefficient and ill-qualified teachers by efficient, well-qualified and better paid teachers.

"The attention of Government was invited the other day in this Council to the weakening of the teaching staff in the zilla schools in Bihar. Granting for argument's sake the necessity of appointing Bihari graduates in the Bihar high schools, though I do not see what harm there could have been in continuing the old practice of appointing Bengali graduates as upper teachers, the evil complained of might have been easily averted if more had been spent on 'Management' and less on 'Inspection;' for I feel confident that there would be no lack of Bihari graduates ready to take up the work of teaching if the prospects of the profession had been a little improved.

"While attaching full weight to the practical difficulty urged by the Hon'ble Mr. Küchler in reducing at this stage the overgrown bulk of the inspecting body, I cannot help thinking that the evil might be minimised by arresting the expansion of the inspecting staff, by knocking off a few items of

xpenditure which are neither inevitable nor very pressing, and by other epartmental retrenchments, which, should, of course be left entirely to the iscretion of the wise and able administrator of the department.

"A considerable amount set free in this way may be very profitably mployed in improving the management of schools, secondary and primary, oth in respect of their staff and teaching accessories.

"*The Maktabs and Technical education.*—The construction of seven modern *aktabs*, the attention given to the building requirements of some of the silla chools and the establishment of a number of small weaving schools in ifferent parts of the province are some of the most pleasing features of the udget. The appointment of Mr. Denning as Inspector of Technical Schools and Industrial Education is a decidedly practical step in the right direction, and I have every hope that, through his valuable assistance and careful supervision, technical and industrial education of the province will be placed on a sounder and more systematic basis. At the same time I cannot but express a wish that greater attention had been given by Government to this branch of education which bids fair, under the present circumstances, to prove the best proof of the prosperity of the country. There is need for a larger number of schools of this kind; one in each division would not be too many, and the existing schools under Government or private management have much room for improvement. In this connection I would like to bring the situation of Bihar specially to Your Honour's notice. The provision made for technical education in that part of the province is decidedly too small for its requirements, and too insignificant to produce the great benefit it might otherwise have done. The grant in the Budget on technical and industrial education, though comparing very favourably with the revised estimate of the year just closed, appears, therefore in my humble judgment, to be much too small.

"*Colleges.*—There has been a proposal made for the removal of the Presidency College from its present site. I do not consider it advisable to spend one lakh and fifty thousand rupees on a new building for a Physical Laboratory attached to the existing College premises. The plan, which, from the manner in which it has been put forward by the Hon'ble Mr. Küchler, does not appear to be very urgent or pressing, may be allowed to stand over till the question of removal be finally settled. Meanwhile the amount thus made available may be laid out in larger grants to private Colleges, for in spite of the help so opportunely rendered by Government in the last few years, most of these private Colleges, specially those in Bihar, are still in a precarious condition. Fifty thousand rupees appear to me to be too inadequate a grant to render them material assistance in improving their laboratories, erecting or extending their buildings, or improving the pay and prospects of their staffs. It would not be amiss, therefore, if the Government were to increase the grant to enable the private Colleges to improve their position."

The Hon'ble Babu Deba Prasad Sabadhikari said:—

"I owe a reparation, and I shall try to make it straight away. That the man on the spot ought to have larger discretionary powers, is an axiom of decentralization to which Your Honour has given fitting and practical recognition by providing in the Budget that Divisional Commissioners should have the control of certain ear-marked sums for local purposes. This, I take it, Sir, is separate from and independent of a sum of a lakh of rupees at Your Honour's disposal. If properly utilised, such grants ought to be replete with great and quick good, and real decentralization in some of its best aspects will soon be on its trial in this novel and acceptable shape. I am sorry I wanted to take away some of this grant when I wanted money for the Judicial Service; to follow up matters to their logical sequence, we ought to have a larger Provincial Decentralization when the next settlement is made, and we ought not to have depended upon Imperial doles for wiping out our unavoidable debt balance when the Province has so much more of its own.

"In examining some of the improvements of revenue on the credit side, one is struck with an increase of Rs. 44,000, 'due to larger recoveries on account of

punitive police,—' larger, one may take it, than the authorities themselves thought expedient to estimate. The increase is an eloquent testimony of silence, if one may so call it, as to the readiness of the law-abiding sections of the community quickly and ungrudgingly to submit to all that is demanded and required of them during the critical times that, to the misfortune of the rulers and the ruled, the country is passing through. May the clouds roll by soon, and there be no need to count upon such an increase.

"Decrease under the heading 'Excise' is attributed to high prices. The Government of India has been pleased to order an *interim* enquiry into the causes of high prices of food, and when the enquiry is concluded, we shall be pleased to learn that high prices had nothing to do with the falling off in excise revenue, and that a more enlightened excise policy inaugurated during the opening year of Your Honour's *regime* brought about the change. Remarks on that policy and the new law just introduced would be premature; but a warning word may not be out of place, having regard to the noticeable falling off of opium revenue, though in itself it is a matter of Imperial concern. Because our opium is at a discount abroad, and because revenue has to suffer thereby and therefrom, we ought not to relax our vigilance to see that inland and provincial consumption is not facilitated by careless handling of the safeguards that the law has provided.

"Stagnation in trade is' said to be responsible for the falling off of stamp duties and assessed taxes, which, apart from decrease of revenue, in itself a sufficient evil, is otherwise a matter of grave concern. The need of close and anxious enquiry seems to be apparent in this direction as well. There is a noticeable falling off in registration fees, in spite of which considerable fresh outlay on the department has been provided in the Budget. The reason of decrease is said to be 'chiefly a decrease in the number of registrations effected.' This by itself is not very illuminating as an explanation, gravely finding place as such, in a sober Budget statement. We have been accustomed to hear that during bad years and on account of bad harvests, there is more assignment of landed property by way of sale or mortgage which augments registration fees during scarcity, and we had to plead in this Council for some special remissions and relaxation in these unfortunate cases. Can it be that the process has been reversed, and 'stagnation in trade' and 'high prices' have been the concomitants of falling off of registration revenue? The problem is an interesting one, and needs elucidation. It can hardly be that the same nostrum of an explanation will meet symptoms of widely differing cases, and a more careful diagnosis seems to be necessary. There is a noticeable falling off in the receipts of jail manufactures which is not sufficiently explained by the lessening demands of the Ordnance Department. The public is a large buyer of jail products, if its varied requirements are met and if the prices are reasonable. To avoid competition with private trading and manufacturing interests, it is quite right and in accordance with long-standing Government policy that jail prices should not be inordinately low. The quality of jail articles is generally of the best; and if the prices are proportionately reasonable and not purposely prohibitive, much of the loss on this score may be avoided. Where large outlay of public money is needed, an overscrupulous schedule of prices in the interests of private trade ought to be a matter of scrutiny, particularly if heavy loss is the result of such rigorous views. Some unobjectionable means ought not to be difficult to find. An increase in jail expenses is shown on account of an increase in the number of prisoners. Unfortunate as the increase is, there ought to be a proportionate rise in the jail income as well.

"On the expenditure side of the revised estimate a large decrease is shown, in explanation of some of which we see it stated that a lump grant of Rs. 50,000 for additional Deputy Magistrates and Deputy Collectors was not utilized. We have a renewed lump grant of Rs. 34,000 this year for the special benefit of the Settlement Department. This will not cover the whole of the ground intended to be covered last year by the lump grant of Rs. 50,000, for we see in the explanatory note that, not only was not the lump grant utilized, but there were actual 'savings under Survey and Settlement and Land Records.' The Hon'ble Mr. Gourlay, who until

recently presided over some of the departments concerned, may have been responsible for some of these savings, and if so, he has my hearty felicitations. He has recently been telling us that 'every service is capable of improvement, from the highest to the lowest, and the members of every service are naturally anxious for the improvement of their pay and prospects; but there must be some general principles upon which such a question can be considered.' I do not know whether the absence of the timely and effective recognition of such principles stood in the way of this lump provision being utilized last year, or why a renewal of a lesser lump grant this year was considered sufficient. So far as my hon'ble friend's own service is concerned, the need for 'improvement from the highest to the lowest' seems to be appreciated, of which the Budget contains a fair indication. I have no doubt that the strengthening of the Civil Service so far as this province is concerned, which has been budgeted this year, is all needed, and if more be needed, more will have to be and ought to be provided for. I believe in a strong, capable, satisfied, and, therefore, sympathetic Civil Service, and I do not believe in a starved and discontented service. But I also believe in strong, contented and reasonably paid subordinate services, and was sincerely glad to hear the Hon'ble Mr. Gourlay's willing testimony as to the capability and necessity of improvement of some of these services. I shall not stop here to recount the happily lessening woes of the Subordinate Executive Service. But we miss the provisions that would be imperative, if and when the Judicial and the Executive Services are separated, to which reference has been made by the Hon'ble Babu Baikuntha Nath Sen. We are without information as to when this beneficent measure of reform, long promised and longer expected, is to be inaugurated. There is one class of Deputy Magistrates in particular whose claims I would specially like to bring to the notice of this Council in passing, and that is those that have to discharge the onerous and exacting duties of Personal Assistants to our Divisional Commissioners, and who, in charge of non-regulation districts, have alike to perform civil and criminal work of an equally exacting nature, away from all help and conveniences that were open to the ordinary District Judge or Subordinate Judge. The duties of the former class of officials in some divisions will be soon heavier, now that legislative duties are added to the ordinary duties of the Commissioners.

"Speaking of some of the subordinate services and of my hon'ble friend and esteemed colleague, Babu Baikuntha Nath Sen, I may for one moment refer to the latter's complaint about my withdrawing my resolution for the bettering of the Subordinate Judicial Service. I am glad and thankful to receive my hon'ble friend's assurances of support, and I may inform him that I shall soon claim the fulfilment of such assurances. I am also in hopes of being able to talk over matters with the Hon'ble Mr. Gourlay round the table which may clear up the ground. In the best interests of the service which the Government and all of us have at heart, I did not see the utility of pressing the motion with the certainty of defeat and the equal certainty of inability to bring up the question within the statutory period under Council rules. There was no scheme ready, as I gathered, which might be given effect to, even if the Budget allotment for which I asked was made; and as I was not bent on a mere academic threshing out of an eminently practical and businesslike question, I thought it best to withdraw my motion for the time being, for which I had Your Honour's kind permission. Pending, however, the settlement and acceptance of the larger scheme for betterment of the Judicial Service, may not such questions as those of privilege and other leave, joining time and such other matters as have previously been mentioned on different occasions and which are not dependent on Budget grants, be separately taken up by the Government and the High Court? I hope to be able to bring up the question in a definite shape soon, when I also hope to have the support not only of my hon'ble colleague who complained of my withdrawal under a misapprehension, but also of my other colleagues on the Council. When some time ago Your Honour was referring to the impending Council reforms, Your Honour was pleased to say that official Members of the Council would henceforth have to cultivate the more difficult and delicate art of persuasion,

where they had been accustomed to rule, as a matter of routine. Such a strain has not been yet put on the official Members, and is not likely to be put on them soon. The non-official Members who wish to make themselves responsible for any Resolution, have for the present greater need of cultivation like that indicated by Your Honour, and the opportunities for such cultivation are few and are scantily availed of. Hon'ble Members come from distant parts of the Province, put in the requisite Council work and as hurriedly depart, and there is little opportunity of effective and purposeful interchange of views. If non-official Members know each other so little, we can hardly complain that the official Members know the non-official Members less. We are thankful to note that some official Members, like the Hon'ble the President and the Hon'ble the Vice-President, have been making strenuous efforts for betterment of affairs in this direction. The "dead wall" that separated the "inanimate councils" of older times, vividly recalled to mind by His Ecellency the Viceroy the other day, is fast crumbling away, and it would be a pity if an inter-non-official wall was allowed to spring up instead. There have naturally been considerable additions to the establishment required in connection with the expansion of the Legislative Council. All this is necessary, and the way that the department is working under the altered conditions deserves all praise. May not, however, some clerical assistance and ordinary conveniences be secured to Members who may have need of it in connection with measures and matters in which they happen to take an interest? The indefatigable Secretary of the Council and his subordinates, as well as the Press, do all they can to accommodate Hon'ble Members who seek their assistance, and have often to go out of their way to give some relief. But their resources are limited and barely sufficient for their own departments. It would be satisfactory, therefore, to put matters in this connection on a working basis, if possible.

"The Provincial Executive Service does not happen to be the only service that had an unutilized grant. The Medical establishment also similarly suffered, and the provision for the improvement of the pay of Civil Medical Assistants also stood over. We do not know whether the provision now to be given effect to will have a retrospective effect in a way similar to that allowed in the case of the ministerial service. There is a distinct Budget estimate for meeting the arrears in the latter case on the basis of the retrospective effect, and we do not know whether the last year's Budget provision has gone into other channels or has merely been absorbed by the vanishing balance. The grant for bettering of the Assistant Surgeons' ranks will, I trust, not similarly have to mark time, because of the non-completion or hanging up of the necessary scheme, and a long-waiting service ought to have its own as soon as possible.

"We are without any explanation as to why important and well-to-do municipalities like the Calcutta and Howrah Municipalities have been allowed large relief like grants-in-aid towards the cost of the drainage of the fringe area, realignment of drains in the neighbourhood of the Presidency Jail, and for the widening of Seal's Lane in Howrah. Some of these items are not new, and have come over from previous years. In the case of the Presidency Jail alignment, the grant may be probably due to action that Government has been obliged to take. But one would have thought that the Victoria Memorial Trustees would have or would have been made to come to the rescue. But the obligations part-covered by these grants are essentially municipal, and though in normal years there might be no objection to relief of this nature, in years of stress and strain like the present we ought to be cautious. I hesitate to say this in the presence of the Hon'ble Mr. Earle and the Hon'ble Sir Charles Allen whom we are glad to welcome back, and of the Hon'ble Mr. Apcar particularly, as time was, not very long ago, when I myself would have pressed for relief like this. But the poorer municipalities have larger claim on the Provincial revenues, and relief that would be more welcome and necessary in places like Hooghly and Puri, where drainage and water-supply questions are growing acute, is absorbed in the richer tracts that can and ought to afford to pay their own way and possibly more.

"Under the heading 'Land Revenue' has been provided an expenditure of Rs. 6,000 for survey of waste lands; in view of the contemplated reversion to the

[*Babu Deba Prasad Sarbadhikari.*]

old system of giving leases in the Sunderbans to large capitalists. The system was long in vogue, and had been instrumental, I believe, in reclaiming large tracts through the help of private enterprise, and the rules familiarised by the Waste Land Manual, though capable of improvement, was a fairly good working machinery. Exception, however, was taken to them under "expert advice," it is believed. How the *khas* administration succeeded will be told by the history of Fraserganj, and quietus was fittingly given to the scheme which was very much of the *Golden Crown* order, quite early in the beginning of the present *regime*. The present provision is a commendable beginning of business-like management which ought to have large possibilities that were prematurely and unwarrantably interfered with. The rules are, I believe, in revision, and settlement ought to be possible with other than only large capitalists. Smaller holdings than those insisted on under previous rules ought to be possible, and would be better conducive to the ends in view.

"Last year I unsuccessfully pleaded for restoration of the old scale of travelling allowances to Sub-Deputy Collectors. I would like to bring forward this year the claims of another class of deserving and responsible public servants, the low scale of whose pay is bound to interfere with the efficiency of the service. Our kanungos, whose claim to better treatment has been recognised by drafting a small number into the Sub-Deputy grade, have two grades—one on Rs. 50 and the other on Rs. 75, without any travelling allowances below 15 miles, I believe. These are the officers who do the bulk of what are known as petty settlement work, manage the grant of *takavi* and other loans, and do other important miscellaneous work of more or less the type that the Civil Court amin has to do. Instances have not been wanting where services of some members of the body had to be dispensed with on the ground of supposed mismanagement, and as large settlement work is in progress in many parts of the province, a stronger service seems to be needed. Till the question of pay can be reconsidered, a more liberal scale of travelling allowances may be permitted.

"As I dealt at length with educational topics when dealing with the Financial Statement, I shall shortly refer to some only of the pressing matters.

"The Hon'ble Mr. Küchler's invitation for expression of opinion about the Presidency College was not at all responded to in the way that was expected. Though I was opposed to the removal of the College when the plebiscite was last taken, I have, as I said on the previous occasion, now a free mind in the light of the experiences that I had in connection with the working of other institutions just starting. The removal would be desirable, if it could be effected with due regard to other interests and public opinion, which it would be judicious and desirable to ascertain over again. The answer to the question of the Hon'ble Babu Bhupendra Nath Basu at the last meeting of the Council may probably be the first step towards such an enquiry. Calcutta must continue to be the centre of culture and education for a long while to come, and I am little in sympathy with the desire to shift the centre of educational gravity from where it has been since the commencement of the present system. None is in deeper sympathy than myself with the efforts of Bihar and Orissa Colleges, whether private or State-owned, to better themselves, and I have consistently fought for such improvement. But the student would be distinctly the poorer for missing the benefit that the Presidency College has or ought to have to give, be he a Bihari, or Uriya or a Bengali. Whatever will really improve the Presidency College, deserves the loyal, hearty and whole-hearted support of all who have the true cause of education in Bengal at heart; and if removal from its present site to a more suitable site in the neighbourhood of Calcutta is a *sine qua non* and is demonstratedly necessary, I would be prepared to support it. But we must now or never do all that is needful, or as Principal James has said in the course of his vigorous appeal through the Press, it will be too late in three months. The most practical and businesslike-way of dealing with the situation if anything is to be done would be to defer the grant of a lakh and-a-half, the temporary diversion of which to other channels I invited.

On the last occasion I referred to the apparent non-provision of students mess grants. Since I came into this Council Chamber this morning, I was glad to be informed by the Hon'ble Mr. Küchler that the requisite amount will be met out of the general grants-in-aid. While Government is giving us liberal

aid, a little more ought no doubt to be got out of those who benefit by the grant which would relieve the present burden. But the Board's scheme will not and cannot be self-supporting for a long time, and unless an adequate Government scheme continues, it will hopelessly collapse, and the University regulations on the subject are bound to be thwarted and defeated. I am sorry the scope of house allowance to Calcutta Professors is to be limited in the way recently stated by the Hon'ble Mr. Küchler. It will serve little useful purpose, will bring no relief, and may add to complications and soreness of feelings. In passing, I would plead for treatment of *Uriya* and domiciled *Uriya* students in regard to Engineering scholarships on the same lines as have been decided on in connection with the Law scholarships.

"I notice an omnious movement in the neighbourhood of the Secretary's table which warns me that I am perilously near the time limit, and I shall not expatiate. But before I conclude, I must explain that improvement in the status of the Provincial and Subordinate Educational Services cannot be further delayed, and new appointments that will be needed under broadening schemes will furnish occasions for promotion of deserving members of the Provincial Service to the Indian Service, for which we have long pressed. It is a wonder and a pity that while sanctioned appointments are waiting to be filled up, and while experienced and eminent Professors with high European degrees, and some of world-wide fame are slowly pining away in the lower grades, they should have to stand aside indefinitely in favour of uncertain quantities.

"We are grateful that Babu Ishan Chandra Ghosh, a head-master, has been appointed to a high and responsible office,—that of Assistant Director of Public Instruction,—which, I hope, he will justify. This, I take it, is an earnest of the desire of the Government to do justice to the claims of the branch of the service to which this meritorious officer belongs, and of the subordinate branch as well. But there are higher and better opportunities, as I have just indicated, which ought to be readily and liberally availed of."

The Hon'ble MR. APCAR said:—

"Sir, my hon'ble friend, the member for the University, has taken exception to the grants made to the Calcutta Corporation in connection with the drainage near the jail and also in the fringe area. I think it is rather cruel of him to take exception to it because there has been no provision made which has not been necessary or called for. The drainage near the jail was altered because of the requirements of Government, and in connection with the fringe area the question is not that there has been so much paid there, but that there has not been more than has been granted because the action of Government interfered with the drainage of Calcutta which entailed very large expenditure by the Corporation. I am, however, very glad to find myself in agreement with my hon'ble friend and to find that he has changed his opinion with regard to the Presidency College. The Hon'ble Member the Director of Public Instruction has made a reference to an item affecting his own department which, I think I cannot allow to pass by without notice. He has invited such of the non-official members as take any interest in the subject to give expression to their opinions in connection with the grant of one lakh and fifty thousand rupees for the construction of a Physical Laboratory in the Presidency College. Now, Sir, the proposal seems desirable enough. The amount budgetted is not regarded as being excessive. There does not seem, to an ordinary observer, any question of a deep character underlying it, but Sir, the Hon'ble Member has indicated that if the grant is utilised for the purpose in view, there will be a long step taken towards the settlement of an important issue: whether the Presidency College shall be maintained on its present site or be removed to another locality, chosen with special regard to the healthiness and its accessibility, in the outskirts of Calcutta. Sir, it was not my intention to intervene in this debate on the Financial Statement to-day, but when I gathered from an Hon'ble Member that if I did not speak now on a subject in which I have taken great interest, I should for ever have to keep

silent, I feel it incumbent upon myself to break the silence if for no other reason than that I may not be precluded from urging my views on a later occasion. I am conscious, Sir, that we have not the main issue before us and we are discussing an important point incidentally with relation merely to a single item in the Budget, but whatever the impression created in the minds of the Hon'ble Members in this Council by this circumstance, I trust they will accept my assurance that it is a matter not of an insignificant character but of some importance, I may say, even to the administration of this Province. I approach this matter with more confidence, because, although I have examined it wholly independent of them, I find myself in harmony with the educational authorities of the Province, and my conclusions cannot be regarded as not worthy of consideration since I find them to be the same as those of the expert advisers of the Government. It seems to me, Sir, that the question will be complicated if the Government will not take action such as is advised by the educational authorities, because then they will be going counter to their own expert adviser in a matter of some delicacy which will affect the future generation of this Province in their educational side. Sir, I crave the indulgence of the Members if I examine the objections that have been raised to it. One point strikes one at the outset, that Indian opinion has changed on the question. My hon'ble friend on my right representing the University was at first oppposed, but now is in favour of it, and that is only an indication of the general feeling of the Indians on the question. I may mention the Hon'ble Mr. Dip Narayan Singh has told me himself that he omitted by an oversight speaking upon the subject, and there are others in Council also, who are in favour of this change. There may be in the minds of those who have been educated in the Presidency College a sentiment that it should be maintained in the site in which they themselves have received their education. After all, Sir, it should be the advantage of the present students which is most to be considered. I by no means wish to slight the sentiment because I know what influence it has whether in politics or any other question, and I certainly would not under-value the force of sentiment in connection with schools. It is an index of the affection of the old students to their school and so in some degree a gauge of the efficiency of their old school. Now, Sir, sentiment is what perhaps has stronger force with regard to schools in England than anywhere else, and yet we have seen Charterhouse with a record of three centuries and the Christ Hospital, more popularly known as the Bluecoat School with, I believe, a larger record, moved from the heart of London 35 and 40 miles, respectively, into the country, to healthier localities. I would submit and urge upon Government the necessity of regarding more the advantages to those *in statu pupilari* than the sentiments that may be entertained by some *ex*-pupils. Then I regard the question as comprised in two aspects. There is the teaching in class and there is the education or up-bringing of the students of the college. Even for residence, we find that the Indian community now have become reluctant to live on main thoroughfares. The inconvenience caused by the turmoil and the noise is quite sufficient explanation for their objection. How much greater is the objection then for an educational institution which requires a quiet and peaceful atmosphere, to be placed on one of the most crowded thoroughfares of the metropolis. And we can take as an object lesson this very matter which is now under discussion,—a Physical Laboratory,—which requires steadiness and stillness as conditions for successful and effective experiments. It will be found that these experiments will be hampered to a degree because there is an incessant shaking and agitation caused by the vehicular traffic and by the tramcars passing unceasingly a few yards from the Laboratory. The teaching staff, Sir as also those who supervise them, can of course speak with the greatest authority. If on my part I repeat only what seems to be the obvious, I claim that I give the stronger support on that account to the removal of the college. Sir, in the present day, when knowledge is advancing and the needs of education must keep pace with it, reform of educational institutions is demanded and the new standard of efficiency is being raised to a degree that wants almost a new type. Is this the time to locate and fix permanently

a college which is to be the model for this Province and for a large area beyond in a position which forbids free expansion and which will cramp it in some of its most vital functions? In connection, Sir, with the second aspect of the question I was very much interested to receive a letter a few minutes before I left home for this Council Chamber from a well-known Indian gentleman holding a high position in the mercantile world who says—it is with relation to a matter into which we are inquiring outside this Council—"Sports which form such an essential in a Cambridge student's life are almost entirely lacking in the life of a Calcutta student. The locality of the schools and colleges prevents them from having any grounds attached to them. The maidan is not easily available to the majority of students and the consequence is that a great deal of their leisure, which might have been profitably and pleasantly spent in outdoor exercises, is employed in seeking morbid excitement in listening to political speeches." It is not so much on the teaching side that I personally am interested. The questions raised in the statement I have read cannot well be disregarded in connection with the second aspect of the question to which I have referred. No one with any sense and responsibility as a citizen can shut his eyes to the present condition of affairs. There is no doubt—and I speak not merely with regard to the Presidency College, because I think that its removal will have a wide influence—the subject of students demands the most anxious watchfulness and solicitude. The care of students fails now with regard to supervision out of their class hours. With regard to a large number of them their guardianship is only nominal. The students are most of them exceedingly poor in purse, of highly susceptible dispositions, are subjected to unhealthy influences. We cannot altogether ignore the fact that they need a better and closer supervision. We cannot be blind to the fact that so many who have been placed on trial have been found to be completely out of touch with their real guardians, their parents and all home influences. Sir, this is a matter which affects, it is no exaggeration to say, the administration of this Province. So far as the Presidency College is concerned it has a hostel which accommodates, I believe, very much less than a number of students whose parents do not live in Calcutta. If you have, Sir, a residential University with the teachers living with the students and not merely meeting their pupils in class, you will create an influence that will be entirely for their good. I would even say an influence which will operate for the benefit of the whole community. I do not desire to dwell upon this aspect of the question, but I do not wish to be misunderstood. Indeed, Sir, I have sympathy with the students, in the very unhappy circumstances under which they live. For my part, I wonder that under the circumstances in which they live many of them are not much worse than they are. I do not believe in all the charges brought against them as a class but I do think that it would be entirely for the good of the students and for the administration if the students were only kept under better control, and with this end in view it would be better for them to be removed from the congested parts of Calcutta and its influences. Sir, all that I would ask now is that there should be suspension of action in connection with the Laboratory. The non-official Members do not rise to ask you not to spend money in improvements, but it is an irony of fate that the idea of the construction of the Physical Laboratory did not emanate from the officials at all. It was brought forward by one of my hon'ble friends who no doubt regrets having brought forward the question at all. And since the request for the Physical Laboratory did not emanate from the educational authorities, so far as the question is concerned, I would ask Your Honour not to proceed with the construction for the present. With regard to the finances, which is of course an important matter in the consideration of the question, we have learned that it is intended to expend no less than twenty lakhs for the improvement of the Presidency College. If the Presidency College is removed there will be available seven lakhs more: so that there will be no want of funds for the removal from its present site. But even if the Presidency College is to be continued on its present site there is no reason why the hostel should be maintained there. It would be a great benefit and advantage if even only the hostel could be removed to the suburbs. An opinion prevails that if the

[*Rai Shiba Shankar Sahai Bahadur.*]

Presidency College hostel is removed to the suburbs, it may lead to the location of other hostels in its vicinity.

I submit these matters are worthy of the consideration of Your Honour's administration. But I would venture to appeal to Your Honour that for the present the money budgetted for the Laboratory should not for the present be expended for this particular purpose.

Sir, I had not intended to speak on the general subject of the Budget because there is not much on which to speak. With Lord Morley's reference to the powers intended to be conferred on non-official members, and after the solemn election to the Finance Committee, when I found myself elected to that Committee, I was preening myself with the prospect of usefulness as I thought before me. But when I found the extent of the operation to be permitted to the Committee, I was disillusioned, and my mind went back a decade, to which my experience of the Council dates, and I could not help thinking of the sympathy which Your Honour, who was then Finance Secretary, would extend to the Finance Secretary of to-day. Out of an expenditure of about five and a half crores we were given a voice in one per cent. of that amount: and this even was very substantially reduced by the obligatory charges imposed upon this Province, out of the sum nominally placed before the Committee. When a further sum of Rs. 6,20,000 was given to us to consider, for public works, again I found that all the Committee were called upon to do, was to exercise their discretion in what way to reduce the sum of Rs. 6,25,000 to the amount available for our consideration: that is, to reduce the sum of Rs. 6,25,000 by Rs. 5,000 only. All this did not give much scope for ambitious treatment by the Council. Later we were given a further sum to deal with by the Government of India, and it was then that my hon'ble friend proposed the expenditure for the Physical Laboratory, without appreciating the effectiveness of the grant if passed, which has led to the present discussion. Let us, however, hope for better times, to a period of prosperity when the usefulness of the Finance Committee and the effectiveness of the criticisms, opportunity for which has been conferred on non-official members, may be demonstrated.

The Hon'ble Rai Shiba Shankar Sahai Bahadur said:—

"Your Honour,—I congratulate the Hon'ble the Finance Secretary on the lucidity of the Budget he has submitted to the Council. The statement supplies all the necessary information, and the allotments made are, on the whole, reasonable and fair.

"The year has a hopeful outlook. We had a bumper winter crop and the *rabi* crop which is about to be harvested promises to give us a good outturn. Several successive bad years and consequent high prices have considerably crippled the resources of the Government. The Hon'ble Mr. Oldham, when presenting the Budget for the year which has just closed, pointed out that the total extraordinary charges on account of grain compensation allowance and famine relief in certain years amounted to upwards of 52 lakhs. But the present year of plentiful crops has enabled the Hon'ble Finance Secretary to remove altogether the item of famine expenditure from the budget. We all sincerely hope that the removal will be permanent. In consequence of the fall of prices of food-grains, the grain compensation allowance has been reduced from 9¼ lakhs of the last year to only 3¾ lakhs. There is, therefore, matter enough for general rejoicing and congratulation, and I do not like to sound a discordant note in their midst by drawing Your Honour's attention to the condition of the agricultural classes (I confine my remarks to my division) to whom the sudden fall in prices has not proved an unmixed blessing. It is expected, however, that by the next year, if the existing favourable circumstances continue, the normal condition will be restored.

"Before I make any observation on the Budget, I beg to draw your Honour's attention to the fact that it was unfortunate that on the Finance Committee the mufassal members were not adequately represented. I do not wish it to appear as if we have a complaint to make against anybody. But the fact remains that none from Bihar, and not a single Muhammadan member,

was elected to the Finance Committee. It might be that that this unsatisfactory result was due to our own inexperience. I am inclined to think, however, that the rules prescribed by Government for the election of the members of the Finance Committee by the non-official members of the Council may be reconsidered and, if necessary, revised. It appears to me that Rule No. 7 which provides that a member may not give more than one vote to any candidate may be modified with the effect of obviating to a considerable extent the difficulty in question.

"The next thing I wish to refer to is, the inconvenience which the non-official members in general, and the mufassal members in particular, have felt in consequence of the shortness of the interval allowed between the submission to the Council of the Financial Statement and the deliberation thereon. They had practically very little time to study the Budget and send notices of their resolutions in time to be accepted. I hope that Your Honour will do something for the removal of this grievance.

"Coming to the Budget itself, the most prominent feature of it which strikes one, is that the closing balance has been gradually dwindling from a sum of 92½ lakhs in 1903-04 to *nil* in the last year's estimate. The Hon'ble Finance Secretary with liberal aid from the Government of India, for which we are all deeply grateful, has been able to estimate the present year's closing balance at the prescribed minimum of 20 lakhs. This is satisfactory as it is, and I hope that in future the closing balance will not only be maintained at the present figures, but be steadily improved and increased.

"The next feature of the Budget which one contemplates with satisfaction, is the steady increase in the grant on education in the province from 38⅛ lakhs in 1906-07 to over 59 lakhs in the present year. If we take the figures of the year 1902-03 when the charge on education stood at 26 lakhs, this increase is still more noticeable and significant. Sir, while this is so, and while we are all grateful to Government for what it has done and is still doing in this behalf, one cannot but feel that there remains still much to do in education. It appears from the answer given by the Hon'ble Sir Harvey Adamson in the Imperial Council that the expense per head of population in Bengal on primary education is very low, nay the lowest in the whole of India, being only 4 pies per head as against 2 annas 6 pies per head in Bombay. The expense per head of population on education generally is only 1 anna 11 pies in Bengal, as against 5 annas 7 pies in Bombay. I have not got before me separate figures for Bihar, but I doubt not but if they had been forthcoming, they would have proved more wonderful in their smallness. As a representative of the people, I cannot help urging the necessity of increasing the expenditure on education in Bengal in general and Bihar in particular. The question of increasing the grant on primary education in Bihar is an urgent need which requires immediate ministration. It certainly cannot be long deferred.

"Sir, a representative from Bihar will not be true to his salt if he does not press upon the attention of the Government specially the needs of that province, which unfortunately are many and urgent; but while I do so, I beg most emphatically to dissociate myself from any sentiment that would insist upon a readjustment of the allotment and require any favour to be shown to the Bihar schools and colleges at the expense of those in Bengal. It is a suicidal policy to set fire to our neighbour's house with a view to appropriate his goods and chattels. We all feel that what Bengal has got is quite insufficient for her wants, and it would be unreasonable to expect her to cut off a slice from out of her slender share. The position that I wish to take up for Bihar, is that when opportunity presents itself in future, the wants of my poor backward province may not be overlooked by Government.

"In conclusion, I beg to express, in my own behalf and in behalf of my constituents, great satisfaction for the provision made in the budget of—

(1) a sum of Rs. 60,000 for feeder roads in the Sonthal Parganas, and
(2) a lakh of rupees for the drainage of Monghyr.

"We are pleased also to see that the recommendations of the Salary Commission have been given practical effect to, and we feel profoundly grateful

for the raising of the petty grants to the Commissioners of Divisions from Rs. 75,000 to one lakh for prompt disposal of local wants."

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN said:—

"SIR,—Before I say anything on the present Budget, I think I should avail myself of this opportunity to express my dissatisfaction with the rules for the election of members for the Financo Committee. As a result of the defective rules framed as they are, I may bo permitted to point out that not one member from the important province of Bihar could bo elected to take part in the deliberations for the Financo Committee. It is not unnatural, therefore, to find that the needs and requirements of Bihar by proper and adequate provisions being made in the Budget did not receive full attention at the hands of the Select Committee. I am well aware that Your Honour's Government has keenly felt the absence of Biharees from the Finance Committee, but I thought it necessary on this occasion to bring the matter more prominently to the notico of the Council in the earnest hope that the Council will recommend that the present rules be changed so as to admit of the adequate representation of all classes. The next thing which I desire to place for Your Honour's kind consideration refers to the wholly insufficient time allowed to the members to give notice of the resolutions to be moved regarding the items of the Budget. I bring this matter forward for consideration of Your Honour's Government as it particularly affects the mufassil members. Your Honour is aware that this year the amended draft of the Financial Statement was issued on the 5th of March, 1910. Those who were in the metropolis must have received it on that very day, but the members residing in the mufassil could not have got it before the 7th, or at the earliest, before the 6th of March. Now the time fixed for sending draft resolutions to the Secretary's office under the rules in connection with the Budget was the 8th of March, so that practically it was impossible for a non-official member to draft and despatch his resolutions, if any, in time to reach Calcutta on the 8th, not to speak of the impossibility of going through the whole budget, item by item, and considering the different heads of receipt and expenditure. This result, to a great extent, has created a dissatisfaction which, I trust, will be obviated on other similar occasions.

"Now I wish to pass a few remarks in connection with the present Financial Statement, which no doubt has the peculiar characteristic of being very clear and lucid, and I think the Hon'ble Financial Secretary should be congratulated upon it.

Education in Bihar.—"I first take up the question of education in Bihar. It is no doubt gratifying to find that Your Honour's Government has extended the expenditure on education, and under the new University rules if the private colleges of Bihar had not received help and aid from the Government it would have been very difficult to maintain any of them, and it is with deep satisfaction that the Biharees look upon Your Honour's Government for further support and encouragement. It can be scarcely questioned that Bihar is still far backward in the matter of education, and we hope that the liberality of Your Honour's Government will be further extended to that province.

Patna College—"We have got only one Government college in Bihar. But even that college is not equipped with sufficient staff. There is no M. A. class in that college, nor is it affiliated in philosophy. It is deplorable, to speak the least of it, that the only Government college in Bihar should not be in a position to impart the highest education and allow the Biharee boys who cannot afford, by reason of poverty or climate, to come down to Calcutta to study for the B. A. degree of the University. I shall invite the attention of Your Honour's Government to the public declaration of Sir Andrew Fraser, our late Lieutenant-Governor, that the Patna College would be raised to the standard of a model College.

"Sir, regard being had to the statements made by the Hon'ble Mr. Gourlay in reply to the question put by the Hon'ble Maharaj-Kumar of Tikari, regarding the establishment of M. A. classes in the Patna College, it would not be out of place to mention that the

considerations that have weighed on the Government not to allow M. A. classes in Patna will weigh heavier in the case of private colleges in Bihar.

"It cannot be denied that the people of Bihar are labouring under great disadvantages in comparison with the facilities afforded to the people of Bengal so far as the scope and opportunities for higher education are concerned. Bihar has always been, and is more so now, an important centre of attraction in this province. Both in point of area and population Bihar has got a prior claim on Your Honour's benign Government in the matter of higher education.

"It cannot be questioned that a sufficient number of students have always been found desirous of prosecuting their studies in M. A. classes, but for want of any M. A. classes in Bihar, a very few only who could afford to live in Calcutta at an enormous expense and at the risk of unsuitability of the climate to their constitution have been able to obtain M. A. degrees.

"I understand that last year Your Honour's Government was approached on the subject on the occasion of the Budget discussion, and Bihar expected that due provision would be made for facilitating higher education in Bihar, but Sir, to the utter misfortune of Bihar, nothing has been done in this direction. Even if it be not possible to open M. A. classes for many more subjects at present, I understand that a little care to strengthen the present staff of that college can allow it to open M. A. classes in one or two important subjects, and I hope your Honour's Government will be able to find means to make provision for the same.

"*Private Colleges in Bihar.*—I now turn to the private colleges in Bihar. Your Honour is well aware that, strictly speaking, there are only three private colleges in Bihar, viz., (1) Bihar National College at Bankipore, (2) Tej Narain Jubilee College at Bhagalpur, and (3) Bhumihar Brahman College at Muzaffarpur. Besides the above, we have got Dublin University Mission at Hazaribagh and another college at Monghyr, but these are not the first-grade colleges. Up to the year 1887, we had only one college in Bihar, viz., the Patna College which had on its roll less than 200 students in that year. But just after three years, when the private colleges were established in Bihar, the number on the roll rose to more than 700. This proves that the Government college at Patna was in-sufficient to supply the growing educational needs of Bihar and that the private colleges filled a necessary place in the educational machinery of Bihar.

"From the statement supplied to us on the 26th February, 1910, in answer to certain questions put by me and the Hon'ble Nawab Sarfaraz Hussain Khan Bahadur, showing the extent of Government contributions to private colleges in this province, it appears that Bihar is so unfortunate as to get only one-eighth of the total grants.

"*Bihar National College.*—The Bihar National College owed its existence to the liberality and patriotism of the late distinguished Babu Biswesswar Singh, but to the utter misfortune of Bihar he passed away before the college was placed on a sure footing, and some time after him the college had to depend for its existence solely upon its numerical strength. The result was that the college received severe condemnation at the hands of the University Commission, and the public having lost faith in the said institution the number on the roll at once fell down. The college was then handed over to a Council with the Hon'ble Mr. Justice Sharfuddin as its President and counting among its members the other leading men of Bihar. This college has received Rs. 24,000 during the years 1907-08 to 1909-10, as the Imperial and hostel grant, and is at present getting a maintenance grant of Rs. 2,400 a year. The total collections from fees and monthly subscriptions from private individuals are hardly sufficient to meet the monthly expenditure of that college. We are no doubt highly indebted to the Hon'ble Mr. Earle, for the help that the college received from him while he was the Divisional Commissioner in Patna. It was through his untiring exertions that we were able to secure a handsome amount of donations which, together with the grant made by the Government, could enable us to construct a laboratory premises and to purchase bungalows for the hostel. We have yet to supply the physical apparatus and to construct quarters for the Principal. We have not been able to purchase the college

premises. We are indeed very much grateful to the Hon'ble Maharaj-Kumar of Tikari who has already helped us by his princely donation and promised to help us further in the purchase of physical apparatus for the laboratory.

"We have always tried to spend the money on economical principles, but it is estimated that at least a monthly grant of Rs. 800 more will be required to allow us to maintain the college in an efficient condition. The educational authorities have remarked on more than one occasion that the grant-in-aid of Rs. 200 a month to this college is quite inadequate.

"This is the only college in Bihar which gets the maintenance grant, and thus the total sum now allotted to Bihar is only Rs. 2,400, while nearly Rs. 68,000 are given away as aid to private colleges in Bengal.

"Sir, I do not for a moment grudge the Budget allotment for Bengal. What Bengal gets might still be inadequate to her needs, but what Bihar gets is certainly altogether insufficient. Bihar, as I have submitted above, has yet to make up a great leeway in the matter of higher education, and it has got a right to claim support from Your Honour's Government and sympathy from advanced Bengal.

"*Tej Narain Jubilee College*.—The Tej Narain Jubilee College got an imperial grant of Rs. 22,000 during the years 1906 and 1907, and the princely donation of seven lakhs from the Raja of Banailly has greatly removed the requirements of that college for the present.

"*Bhumihar Brahman College*.—The Bhumihar Brahman College was established in the year 1899 by the local Bhumihar community. This has been a boon to the people of the trans-Gangetic district. The college in its inception was a second-grade college, but in the year 1900 the college was raised to the B. A. standard. Tthis college was at first started by Babu Langat Singh alone, but under the new regulations of the University, when he found that the maintenance of the college in an efficient condition required considerably larger expenditure, he made over the college to the public in July 1908. Since then donations have been collected and monthly subscriptions have been promised. It has been estimated that in order to maintain that college in an efficient condition a monthly expenditure of Rs. 2,000 is necessary. Deducting from this a sum of Rs. 400 a month as probable income from fees, provision has to be made for Rs. 1,600 a month.

"I understand that the Director of Public Instruction has promised to recommend to the Government a monthly grant of Rs. 800, provided the college authorities are able to provide the like sum from private sources. I would like to impress upon Your Honour's Government that such a condition precedent should be dispensed with as it does not prove wholesome in many instances. We hope that Your Honour's Government will take the situation into favourable consideration.

"*Law College*.—The people of Bihar are indeed much indebted to Your Honour's Government for the establishment of a Law College at Bankipore. They are further gratified for a provision of a Law Library made in the present Budget. I have, however, to point out that the students find it very difficult to come down to Calcutta for the examination. Under the new rules students have to appear in two examinations: the first one is called preliminary and the second final. As Patna is not the centre for the law examination, students have to come down to Calcutta for the two examinations. Students of Bihar feel great difficulty in obtaining suitable accommodations, and even if they can, the cost they have to incur in coming and in settling down temporarily in a strange place is enormous. I understand that all other places, wherever law colleges have been located, have also been made a centre for holding law examinations. If this is so, why should Bihar be unfortunate in this respect? No doubt the holding of the examination at Bankipore will entail some additional cost, but I am sure Your Honour's Government will not grudge this petty cost in the interest of such an important province like Bihar.

"*Patna Collegiate School*.—Under the new regulations of the University, the Patna Collegiate School has been detached from the Patna College, and it has now been located in a rented house. No permanent building has yet been either acquired or constructed. As there is no play-ground attached to that

institution, the students have to utilize the public maidan as their play-ground at a great inconvenience. The answer given by the Hon'ble Mr. Gourlay on the 14th March, 1910, to the question put by the Hon'ble Maharaj-Kumar of Tikari has given great satisfaction to the students of that institution and to their parents and guardians that immediate steps will be taken to make a temporary arrangement for the play-ground.

"*Model Maktabs and Calcutta Madrassa.*—The Muhammadans are grateful to Your Honour's Government for provision having been made in the Budget for model maktabs and hostel for Calcutta Madrassa. It is hoped that these model maktabs will be of great help to the Muhammadans in getting primary education.

"*Extension of Canal Works in Bihar.*—It cannot be denied that the canal works have always proved useful to the agriculturist class of Bihar. The effect of drought is much avoided by the system of canal irrigation. Moreover, it is not a losing concern. Therefore, I feel no hesitation in pleading for its extension throughout Bihar. The extension of this system will not only help the agriculturist to a great extent but will prove to be a better investment and a source of profit. Though it may be very difficult to give a complete effect to my suggestion at once, yet if Your Honour's Government will devote a reasonable amount every year, the agricultural condition of the country will be improved and much of the unrest will doubtless disappear.

"*Improvement of the status and prospect of the Provincial Judicial Service.*—I should like to refer to one more important matter regarding the improvement of the status and prospect of the Provincial Judicial Service. This matter has been the subject of discussion on more than one occasion in the Council. The Hon'ble Babu Deva Prasad Sarbadhikari proposed to move a resolution on this point in connection with the discussion of the Budget, but it is a matter of great pity that the resolution was withdrawn. However, I think Your Honour will allow me to make a few observations in this connection.

"*Munsifs.*—Sir, under the present arrangement, the Munsifs in the first grade are generally vested with powers to try suits of the value up to Rs. 2,000 which are ordinarily triable by the Subordinate Judges, but though they are made to do this work in addition to their own work they do not get any compensation for it. It is difficult to comprehend the virtues of this arrangement. The officers of the Provincial Executive Service always get allowances for all the extra works which they are required to do. Why should these hard-worked poor Munsifs who are in no way inferior in educational qualifications to the officers of the Executive service be deprived of even that much advantage. The great pity is that many of the deserving Munsifs break down and retire from the grades of Rs. 400 without getting an opportunity of a higher lift to the post of a Subordinate Judge. I know that the matter of creation of a new grade of Rs. 500 for such Munsifs has engaged the attention of Your Honour's Government for the last few years, and it was last year that the Council was informed that the Government of India did not approve of this proposal. But, Sir, even if it be not feasible for the Government to open a new grade for hard-working Munsifs, why should they not be allowed to get a personal allowance of Rs. 100 a month which might go to compensate them for the work?

"*Subordinate Judges.*—Then, again, as regards the Subordinate Judges, it appears that half the appointments are confined to the third grade at present getting Rs. 600 a month. It is also evident that the majority of the Subordinate Judges have to retire from this last grade without getting a lift even to the second grade.

"There are others who are promoted to the second grade to fill in the new grade for a year or so. The pay which these officers get is hardly sufficient to compensate them for the hard work which they have to do. It is meet and proper that the amount of the lowest grade of Subordinate Judges should be raised to Rs. 700 or opportunities be afforded to the Subordinate Judges to get a lift to the second grade by reducing the number of appointments in the last grade.

[*Babu Bal Krishna Sahai.*]

"Being a member of the legal profession I fully realise the position of the officers of the Judicial service, and I feel no hesitation in respectfully recommending their position for favourable consideration of Your Honour's Government.

"*Privilege leave.*—The members of the Judicial service have got some grievances as regards their privilege leave. Under the existing rules the members of the Provincial Judicial Service are allowed privilege leave on half pay, whereas the members of the corresponding branch of the Executive service are entitled to privilege leave on full pay. Sir, is there any reason for this disparity in the leave rules? The members of the Judicial service are a great deal more hard-worked than the members of the Executive service, and they deserve to be dealt with with an equal degree of, if not more, liberality in the matter of leave. As the members of this branch are allowed privilege leave on half pay, they generally do not care to take this leave unless they are in pressing need for it, and thus they are found to continue their work even after exhaustion, and it is on this account that they are subject to diabetes. I should strongly but respectfully recommend that Your Honour's Government will be pleased to place them on an equal, if not better, footing with their brother officers of the Executive branch.

"*Numerical strength of Munsifs.*—Being a member of the legal profession I know the high pressure under which the Munsifs have to work. To avoid accumulations of arrears they cannot devote that time and attention which the nature of the case demands, and the hurry with which the cases are decided in the mufassil deprives the litigants on most occasions of proper justice.

"Having regard to the enormous income from the Civil Court it is but fair that the efficiency and strength of such court should be improved.

"Sir I beg to say one or two words in connection with the observations made by the Hon'ble Babu Baikuntha Nath Sen in regard to the system of Muhammadan Electorate who has been ruled out of order, as the matter was perfectly irrelevant to budget discussion. My Hon'ble friend suggests that the Muhammadan community are not satisfied with the present system of election. Being the representative of the Muhammadan community, I have the honour to submit that the Muhammadans are perfectly satisfied with the system of the special electorates. But as the matter is quite irrelevant to the budget, I need not deal with that question in detail."

The Hon'ble Babu Bal Krishna Sahai said:—

"Although the scheme for the construction of the Ranchi Model College, a humble admirer of which I had the honour to be, seems to have been, at least for some time to come, shelved, and although there is a crying need for such an institution in our part of the country, Chota Nagpur feels very grateful to Your Honour's Government for budgetting a grant of Rs. 51,200 under the head of education for four of the schools in that Division. Ranchi Zilla School had in fact to shut the doors of education against many boys by refusing admission just for the want of room, and Your Honour deserves our sincere and hearty thanks for taking timely action in providing Rs. 20,800 for an extension of its premises, and thus enlarging the scope of its activities. Purulia, Hazaribagh and Chaibassa, as well, have got Rs. 15,400, Rs. 10,000 and Rs. 5,000, respectively, and let me hope, Sir, that Your Honour will always keep in mind this very backward part of the province over the destinies of which Your Honour holds reins.

"While speaking on education, I may as well mention that it strikes one to find no definite grants in the Budget for the private colleges, which, without the helping hands of the Government, will not be able to stand long or to properly discharge their duties. There is no denying that our Government has many demands on its purse, and private institutions should receive help from private sources, but unfortunately our country has not risen up to its duties and our countrymen, with some honourable exceptions, of course, have not yet realised the responsibilities they owe to their compatriots, far less to humanity at large.

[*Babu Bal Krishna Sahai.*]

"Ignorance, Sir, is the root of all evils and sufferings, and true knowledge is the only light that dispels darkness of our souls. The most abominable and disgraceful conduct of some of our rash youths and the anarchical movement are due to the want of, to use a common phrase, 'real moral education;' and it is high time, I beg to submit, that some rules should be framed to give regular moral training in our schools and colleges, and thus save the name and fame of the country whose oldest hymns sung the prayer in the Vedas,—प्रियं मा कृणु देवेषु प्रियं राजसुमाकृणु ॥ that is, make me loved by the wise, and make me loved by the king.

"True, no religious teaching is advisable or, for the matter of that, practicable, especially with so many different religions prevailing in our country; but religion apart, it cannot be denied that a moral tone needs very much to be imparted to our youths.

'Sir, one thing more in this connection calls for our attention, and I take the liberty of placing before Your Honour the claims of our little girls, the future mothers of India. I admit that provision for this has been made in Calcutta and at Bankipore. But, Sir, Calcutta and Bankipore do not cover the whole province under Your Honour's control. If, at present, we cannot afford to have girls' schools at all the places where we have boys' schools, let us have at least half of them or even a quarter of them; and that would not be a bad beginning. Yes, I am aware of the difficulties that will obstruct our way, but most of them, if not all, will become surmountable if only some provision is made for turning out good and competent lady-teachers, whose want is felt by all interested in the cause. I think the Hon'ble Mr. Küchler, as an educationalist, will bear me out in this statement. To suggest a possible means for this latter object, namely, of turning out good and competent lady-teachers, I would suggest that some scholarships should be awarded to grown up and elderly ladies, widows preferably, as an inducement for receiving regular training.

"As in everything else, the question of funds will have to be considered first, and for this I would submit to Your Honour that out of the monies that have been budgetted to be spent exclusively over the division which I have the honour to represent, there is one item that may wait a while. The sum of Rs. 21,000 that has been budgetted for a house for the Executive Engineer of Ranchi seems to me unnecessary, or at least much more than what is absolutely necessary. If a house is at all required, Rs. 10,000, it is presumed, would be quite enough,—unless the Government has some other object in view in constructing a very large building—and the balance out of Rs. 21,000 could very well be invested in this direction. I doubt the urgency of quarters for the Executive Engineer because I know the Superintending Engineer, the Commissioner, and the Civil Surgeon even, have no quarters of their own. True, at a time there was a great demand for houses, but it is not so now. In any case, if the whole, Rs. 21,000, cannot be utilised, at least Rs. 11,000 can be spent in training tutoresses and establishing girls' schools at some places.

"Let us now turn to another important item in the current budget, namely, the sanitary improvement department. It is really a great satisfaction to find that Your Honour is fully alive to the responsiblities in this connection. While Malaria Commission is working on one side, the Budget provides on the other for an inquiry in connection with Beri Beri, and the amount, though seemingly small, was explained the other day to be sufficient for the purpose. As to malaria, whatever may be the opinion of the Medical authorities, to us laymen, it is plain that the existence of so many dirty tanks and cess pools in most of the villages in Bengal is solely and wholly responsible for the disease as forming breeding places for *anopheles* mosquitoes. Certainly it is a very difficult question how to fill them up—so costly it seems to be, but I would suggest for Your Honour's consideration the desirability of taking up the most affected areas for experimenting upon first and filling up the tanks and cess-pools in those places; and if the measure proves successful, of extending the operations to other places similarly affected. May I hope in this connection that my hon'ble colleague, the Finance Secretary, will try to find out funds for this important item. There is another means that may profitably be tried. The Government may see its way to induce the landlords and tenants to take up

their villages and to fill up the tanks and cess-pools therein. The non-official Members, I am sure, will be glad to help the Government in this direction.

"It is a good sign that a chair for a Professor of Anatomy in the Medical College has been provided for, and that a new Surgical Block at the Medical College Hospital has been budgetted; but so far as I am aware, there is already a chair for the same subject occupied by a member of the Indian Medical Service who is also Second Surgeon of the Hospital. It is unfortunately not clear whether the new post is an additional appointment or only preparatory for the abolition of the old one. If the latter, does not Your Honour think that it will decrease the efficiency of the institution very much?

"It is indeed our misfortune that anarchism and sedition should necessitate the enlarging of the police force and increasing the amount of expenditure over the prosecution of political cases. These not only affect our resources and absorb our revenues but put back our progress and advancement for which we might have utilised the said expenditure. It is a greater misfortune that along with the guilty many innocent persons suffer, but it must be admitted that the Government cannot help it. Let us hope and pray that the new Press Act and the other strong measures the Government have been compelled to adopt will have the desired effect and root out sedition and anarchism absolutely. Every right-thinking man is expected to help the Government in bringing peace and order into the country. It will not be out of place to repeat what has been often said that but for the large-heartedness of Lord Morley and Lord Minto, supplemented by the sympathetic policy of Your Honour, our country would have been deprived of the many benefits which have been conferred on us—the conduct of the so-called well-wishers of India notwithstanding—and the enlarged Council would have been nowhere.

"I find that the income from the Pleadership Examination fees is Rs. 29,000, and that the expenditure for the examination is Rs. 18,000 only. May I ask, Sir, if Your Honour's Government would see its way to provide the whole, or at least a larger portion of the saving, Rs. 11,000, for fees for the defence of paupers accused of murder, in place of Rs. 5,000 as provided in the Budget; or, if the amount of Rs. 5,000 be considered sufficient for that purpose, will it not be proper to reduce the fee payable by the examinees?

"The amount of Rs. 1,50,000 provided in the Budget for the ministerial officers removes a great grievance of a hard-worked and ill-paid class of our people who will no doubt pray for the prosperity of the benign Government.

"The excise income is a head which is very much criticised by the people both here and abroad. May we expect that Your Honour's good Government will find it convenient to do something in this connection. We have seen the aborigines of Chota Nagpur, both men and women, young and old, squandering their little incomes on positively harmful drinks. Any one passing by the liquor shops may notice to his great annoyance and inconvenience these ignorant people, specially on market days, freely indulging in drinks and mostly out of their senses—a few dead drunk. In not a few places these shops are by the side of public roads and, near market-places. Whatever its advantages or disadvantages in cold climates, here in India both the Hindu and Mahomedan religions decry its use, and if for no other reason, India is too poor to indulge in this luxury. It will really be saving the lives of many if Your Honour's Government just gives a few minutes' consideration to the subject and does what lies in Your Honour's power (which is by no means little) to help these people by strictly prohibiting these shops being opened by the side of public thoroughfares and in or near market-places.

"Before resuming my seat, Sir, I have one word more to add and duty demands that it should be added. Here I crave Your Honour's leave to draw your attention to the Drainage Scheme in progress at Ranchi and Hazaribagh. Both these Municipalities are too poor and the roads within their limits and under their control have extended very much; so for them it is really very difficult to meet all the expenses of the scheme without help from the Government. Last year some Municipalities had been provided for similar purposes, would it then be too much for us to ask the Government to help these Municipalities with funds out of the lump provision for grants for works of sanitary improvement?

[*Babu Bhupendra Nath Basu.*]

"In conclusion, Sir, I beg leave to submit that in future Your Honour would kindly see that a little more time is given to Members to consider and discuss the Budget, as I am afraid in such a short time, as was allowed this year, we have not been able to discharge our duties properly."

The Hon'ble BABU BHUPENDRA NATH BASU said:—

"With Your Honour's permission I wish to say a few words about the juvenile population in the jails. In the last administration report on the jails the Superintendent complains that the period during which the juvenile offenders remain in jails is too short to enable them to learn any trade or occupation, and he was appealing to Government to take powers in the case of juvenile offenders to keep them for a longer period in jails so that they might be turned out of jail when they are able to earn a livelihood in future and not to take to crime. I respectfully venture to submit that it is a useful suggestion and ought to be well considered as to whether it is possible to put it into operation. There is another matter in connection with jail administration. It is pointed out that there is a large number of pulmonary affections owing to overcrowding, and that there is no accommodation—no place where prisoners affected with *tuberculosis* can be removed. There is hardly any separate accommodation in the jails themselves, and besides there is no special jail where cases of this description can be sent. It would be desirable, I think, in the interests of the jail population that separate arrangements should be made for housing prisoners suffering from this disease. I hope it will not be a very expensive experiment, and having regard to the fact that we have got such healthy stations as Ranchi and Hazaribagh, we may easily make arrangements for locating prisoners suffering from this unfortunate disease. Their number is not very large (300 or 400), and it could be easily done both for the sake of the non-affected as well as for those who are themselves the sufferers.

"Then, Sir, on a previous occasion I had the honour to place before the Council the needs of extending the operation of our primary educational system. It may be impracticable at present, especially when our finances are not in very good order, to introduce either free primary education or compulsory primary education. But it is possible to give effect to the practically unanimous resolution which was moved at the conference held at Darjeeling, that greater facilities should be given for the extension of primary education in Bengal. I find that the Government incurs an expenditure of about 6 lakhs and 50 thousand on primary education. That I respectfully submit is much too small for the needs of such a large growing Province as Bengal is. We have to provide for the growing needs of Bihar—a province which is happily awakening to its educational backwardness. We have also to provide for the growing needs of the Muhammadans who have hitherto neglected the opportunities which were at their disposal, and we have also to provide for the increased demands of the educational spirit amongst the lower classes. We must not omit to consider that amongst the depressed classes amongst the Bengali Hindus there is a desire to rise in the social scale—a desire to which both Europeans and Indians have lent a sympathetic ear, and this desire can only be fostered and given effect to by bringing within their doors the benefits of some sort of education. I do not mean to say literary education, but some sort of education which will widen the horizon of their vision, and for that purpose an allotment of 6 lakhs and 50 thousand is too insufficient. While dealing with this question of primary education I feel that our means are limited; at the same time I think that persistent efforts should be made to extend this system. I do not mean to say that higher education should be starved, but higher education affects a class of men who ought to be able to help themselves and are sometimes able to help themselves. But this affects a class of men who are unable to help themselves. In this connection, while dwelling on the question of primary education, I would call Your Honour's attention to the fate of those who are entrusted with the teaching of the boys in primary schools. I think that all Bengal must have noticed the condition of the primary schools themselves and specially of the *gurus* who do the work of teaching there. These *gurus* are a very miserable lot of men. Their

[*Babu Bhupendra Nath Basu.*]

salary at the highest is Rs. 3-12 a month, and generally, two rupees a month. One of our Inspectors of Schools writes that it cannot be regarded as wonderful if the poor allowance given to the *gurus*, not amounting in many cases even to two rupees, has created disaffection among them, and that they do not seem to care very much whether or not they remain in their posts. I think that no father who can afford it would willingly allow his son to fall under the depressing influences of such school masters. I know it is a very large question. There are so many primary schools and so many *gurus* to be provided that a slight increase in their charges means a large net increase upon the expenditure, but, at the same time, if these schools are to be resuscitated from their present condition, if primary education is not to be allowed to be merely a name but also a substance, if these *gurus* have to receive some training—a training which would be worth their while to obtain, we must face the problem of increasing their emoluments to such an extent that they may be able to earn a decent livelihood.

"Sir, while I speak on education, it is difficult for me to resist an appeal which the Hon'ble Mr. Küehler has addressed to us. I am afraid it was at my initiative some years ago that the question of the removal of the Presidency College was taken up. Opinions were invited and I believe the opinions against the removal were more voluminous than the opinions for the removal, and I think that during the administration of Sir Andrew Fraser the idea of the removal of the College was given up, and a scheme was formulated by which additional land was to be acquired and buildings were to be put on the new site costing altogether about 20 lakhs of rupees. I believe that that scheme has been put into operation and land has been taken. I do not for a moment doubt that if it were possible to remove the Presidency College to a site outside Calcutta and easily accessible from Calcutta it would be a good thing in the abstract, but at the same time, I feel that questions of such great moment cannot be allowed to hang fire indefinitely. The needs of the Presidency College are pressing, and while we are debating as to whether it should be maintained on its present site or removed elsewhere, we are doing injury to a generation of students. If it is possible to remove the College at once, if the Government can find the funds, if large-hearted benefactors of humanity can find funds, as they have done in Bombay like Karim Bhoy and Tata, then certainly the question can be solved at once, but if the question cannot be solved, I for one would protest against the idea of letting the grant of one lakh and fifty thousand rupees lie idle because perhaps at some distant date the Presidency College may be removed to a more desirable site. I would not like that the improvement of the College should be indefinitely delayed.

"There is another matter, Sir, that is, the question of sanitation in Bengal, which is a pressing question. The report of the Sanitary Commissioner in Bengal is one of the most dismal readings that we could have. But besides this, there are features in the report which show that with very little effort the ravages of malaria may be fought, and fought effectually. In the neighbourhood of Ranaghat, with the aid of crude kerosine oil improvement has been effected, and I would earnestly appeal to the Sanitary Department to take measures to demonstrate to the people that with a little expenditure of money and with a little careful living the present ravages of malaria which exact such heavy toll on human subjects in Bengal might be to some extent checked. There is one subject to which we wish to refer on this occasion. We have to offer our thanks for having very promptly secured for use of the people of Calcutta the services of a medical expert to investigate into the causes of the prevalence of the disease known as *Berri Berri*. On a personal appeal made to Your Honour, Your Honour was good enough to take immediate steps to secure the services of Dr. Grieg and to associate with him the great and eminent Indian Medical Practitioner Dr. Nilratan Sircar, M.A., M.D. We, the people of Calcutta, owe a great debt of gratitude and acknowledgment to Your Honour in this respect and we hope that much lucid information will be placed at the disposal of the public by the joint investigation of these eminent men.

[The President; Babu Braja Kishor Prasad.]

"There is one other matter about which I feel that I should voice the sentiment of my countrymen in regard to the recent acts of Your Honour. Your Honour with conspicuous courage has dealt with the question of the fire that recently took place in Nimtolla.

The PRESIDENT:—

"I AM afraid I must rule out of order any reference to the fire. I have already done so in the case of one Hon'ble Member, the Hon'ble Rai Sita Nath Ray Bahadur."

The Hon'ble BABU BHUPENDRA NATH BASU said:—

"I will not say anything that will prejudice or hamper the course of the investigation that is now going on under the presidency of our esteemed and hon'ble colleague Mr. Slacke, but we expect good results to follow from it, and we owe to Your Honour an expression of our gratitude for having continued that inquiry."

The Hon'ble BABU BRAJA KISHOR PRASAD said:—"Your Honour, I must admit that I have taken twenty minutes of the time of this Council, and I shall not be justified in taking twenty minutes more. Therefore, I wish briefly to speak for about five minutes more and to bring to Your Honour's notice the case of the members of the Provincial Executive Service.

"I regret to say that the Budget presented to us is very disappointing to the hard-worked officers in this service. No provision has been made to improve their position and ameliorate their condition. The Budget provides, as explained by the Hon'ble Mr. Duke, for an increase of nine Deputy Magistrates in the lowest grade. This means a block of the already-retarded promotion in the service. It is an open secret that great discontent prevails among the members of this service who have many grievances which should receive the sympathy and favourable consideration of the Government. I shall very briefly bring to Your Honour's notice the grievances of these officers.

"1. The first and foremost is that the percentage of the number of appointments in the service is ludicrously low, and compares unfavourably with those of the other services. The grading of the Provincial Executive Service is not very reasonable and fair. In his reply to my question on the 11th of March last, the Hon'ble Mr. Duke has asked me to refer to the Civil List. On a reference to the latest edition of it, I find that the total number of appointments in the service is 382. The number of appointments in the different grades and the percentage of the number of appointments in each grade to the total number of appointments in the service are:—

Grade.	Number	Percentage.
1	6	1·57
2	8	2·09
3	18	4·71
4	57	14·93
5	84	21·99
6	86	22·51
7	50	13·09
8	73	19·11
	382	100·00

The result of the very low percentage of appointments in the higher grades is that there is no free flow of promotion—rather there is a lamentable block in it. Naturally therefore there is discontent.

Take any other service you like, the grading is not so unbalanced and unreasonable as that of this service. I would take first the case of District

[*Babu Braja Kishor Prasad.*]

Magistrates and Collectors. The total number is 39. The number and percentage are :—

Grade.	Number of appointments.	Percentage.
1	12	30·77
2	13	33·33
3	14	35·90
	39	100·

The figures of Joint-Magistrates are :—

Grade.	Number of appointments.	Percentage.
1	20	62·50
2	12	37·50
	32	100·

The figures of Superintendents of Police are :—

Grade.	Number.	Percentage.
1	2	4·88
2	7	17·07
3	11	26·83
4	11	26·83
5	10	24·39
	41	100·

Even the Assistant Superintendents of Police are far better off. They stand thus :—

Grade.	Number.	Percentage.
1	13	39·40
2	10	30·30
3	10	30·30
	33	100·

The Deputy Superintendents of Police are not so fortunate as their brothers, the Assistant Superintendents, though they belong to a practically equal rank. However, their position is also better than that of Deputy Magistrates, as the following figures will show :—

Grade.	Number.	Percentage.
1	4	14·82
2	7	25·92
3	5	18·52
4	11	40·74
	27	100·

Here Your Honour will find that the 27 appointments of the Deputy Superintendents of Police have been distributed over four grades, whereas the grading of the 33 appointments of their fortunate brothers, the Assistant Superintendents, has been confined to their advantage to three grades only.

[Babu Braja Kishor Prasad.]

Now let us take the case of the Judicial Service, and we find—

District Judges.

Grade.	Number.	Percentage.
1	2	8·00
2	9	36·00
3	14	56·00
	25	100 00

Sub-Judges.

Grade.	Number.	Percentage.
1	5	13·16
2	10	26·32
3	23	60·52
	38	100

Munsifs.

Grade.	Number.	Percentage.
1	50	29·41
2	48	28·24
3	46	27·06
4	26	15·29
	170	100

From the above it will appear that the Deputy Magistrates labour at a great disadvantage. The higher grades have a very small number of appointments, which is greatly disappointing to those concerned. It is a matter of regret that, with the reorganisation of many services and the bettering of their position, the Provincial Executive Service should be so long neglected.

In reply to my question on 14th March last, the Hon'ble Mr. Duke took exception to the drawing of analogy in the way I did and have now done. He said:—"It is impossible to draw any conclusion from a comparison of the grading of certain specific ranks of the Indian Civil Service or the Police Service with the grading of the Provincial Executive Service as a whole. To make any practicable comparison it would be necessary to take into account various appointments and grades which the Hon'ble Member has left out."

Perhaps what the Hon'ble Mr. Duke meant to say was that the comparison should be made, taking the appointments of District Magistrates, Joint-Magistrates and Assistant Magistrates, as a whole; of Superintendents and Assistant Superintendents as a whole; of Sub-Judges and Munsifs as a whole; and of Deputy Magistrates and Sub-Deputy Magistrates taken together. Even if we calculate in this manner, still the percentage of Deputy Magistrates in the higher grades is too low. Working out on this principle, the figures are:—

District Magistrates, Joint-Magistrates and Assistant Magistrates, taken as a whole.

	Grade.	Number.	Percentage.
District Magistrates	1	12	9·16
	2	13	9·92
	3	14	10·69
Joint-Magistrates	1	20	15·27
	2	12	9·16
Assistant Magistrates who have passed the 2nd standard. ...		50	38·17
Assistant Magistrates who have passed the 1st standard. ...		3	2·29
Assistant Magistrates who have not passed any standard. ...		7	5·34
		131	100

[*Babu Braja Kishor Prasad.*]

Superintendents and Assistant Superintendents of Police.

	Grade.	Number.	Percentage.
Superintendents	1	2	2·70
	2	7	9·46
	3	11	14·87
	4	11	14·87
	5	10	13·51
Assistant Superintendents ...	1	13	17·57
	2	10	13·51
	3	10	13·51
		74	100

Sub-Judges and Munsiffs.

	Grade.	Number.	Percentage.
Sub-Judges	1	5	2·40
	2	10	4·81
	3	23	11·06
Munsiffs	1	50	24·04
	2	48	23·08
	3	46	22·11
	4	26	12·50
		208	100·00

Deputy Magistrates and Sub-Deputy Magistrates.

	Grade.	Number.	Percentage.
Deputy Magistrates	1	6	1·05
	2	8	1·40
	3	18	3·16
	4	57	10·00
	5	84	14·74
	6	86	15·09
	7	50	8·77
	8	73	12·81
Sub-Deputy Magistrates ...	1	9	1·58
	2	28	4·91
	3	54	9·47
	4	54	9·47
	5	43	7·55
		570	100

Compare in any way you like, the result is unfair to the members of the Provincial Executive Service.

The last matter to which I would refer is that while Assistant Superintendents of Police with a pay of Rs. 300, Rs. 400 and Rs. 500 draw first-class travelling allowance, Deputy Magistrates with a pay of Rs. 500 draw only second-class travelling allowance. If it be argued that the nature of the work of Assistant Superintendents of Police entitles them to get first-class travelling allowance, I would humbly point out that there is no reason to keep this distinction between the Assistant Superintendents of Police and the Deputy Superintendents of Police who, in spite of their rank being practically equal to that of the Assistant Superintendents of Police, and the nature of their work being the same, are allowed to draw only second-class travelling allowance. There are many other grievances of these officers with regard to their pay, etc., but it would take a long time to enumerate them.

With these observations I would advise the Government to improve the status, position and condition of the Deputy Magistrates by increasing the number of appointments in the higher grades, by increasing their pay, and by allowing them to draw first-class travelling allowance."

[*Maharaja Sir Prodyat Kumar Tagore; Maharaj-Kumar Gopal Saran Narayan Singh.*]

The Hon'ble MAHARAJA SIR PRODYAT KUMAR TAGORE said:—

"YOUR HONOUR—We are dealing with what is unfortunately an 'Adversity' Budget and we all know that in matters financial, the uses of adversity are occasionally found to be far from sweet. I must, however, gratefully acknowledge that notwithstanding the stringency of the financial situation, Your Honour's Government has been able to provide for increased expenditure wherever it has become imperative, in order to keep pace with modern requirements. Sir, I have not proposed any alteration in the Budget, firstly, because it has been framed, as usual, with due care and caution, after a patient examination of rival claims and in full knowledge and consideration of all the facts which Government alone is in possession of; and, secondly, because I do not think I am called upon to play in the Council Chamber the role of a champion of any particular cause, class or interest. Referring to the revised estimate for 1909-10, I note that there has been a slight falling off in the receipts under Excise. If this decline has been accompanied by a corresponding decrease in the consumption of intoxicants, then indeed both the Government and the people have good reason to congratulate themselves. Sir, I do hope my fellow-countrymen will not fail to take note of the recurring expenditure representing law charges in connection with political cases. I devoutly hope and pray that the time is not distant when this item will disappear altogether from the Provincial Budget. Sir, having regard to the anxious times through which the country is now passing, I venture to say that Bengal is specially fortunate in having at the head of her administration one whose successful management of the finances of the Empire had only lately been the theme of general admiration and is it too much to hope that under Your Honour's skilful guidance, the cloud that now darkens the financial horizon will soon roll away, ushering in an era of prosperity which will enable Your Honour's Government to satisfy fully the demands of a progressive administration and of the most advanced province in the Empire?

"Your Honour, I should like to make a few observations before concluding my remarks. I am not at all surprised to find my friend the Hon'ble Babu Baikuntha Nath Sen challenging the claim of the zamindars to be regarded as the natural leaders of the people. I fancy the Council would have been spared those remarks if a certain number of seats on the Legislative Councils had not been allotted to the zamindars, and if the class to which my hon'ble friend belongs had continued to enjoy a practical monopoly of seats in the Legislative Councils, as had been the case under the old Act. But my friend need not be in despair, as experience has shown that successful lawyers generally end by becoming zamindars, and a time might come when he won't grudge a zamindar being called a natural leader of the people.

"With regard to the remarks of my Hon'ble friend regarding the Calcutta house-owner's representation in this Council under the new Reform Act, I may be permitted to observe, with your Honour's permission, that the citizens of Calcutta have been represented in the Provincial Council ever since the old Act came into operation, I mean that the Corporation of Calcutta, which represents the citizens of Calcutta, both European and Indian, enjoy the privilege of nominating a person from their own body, and now we have in our midst a gentleman of great ability in the person of my hon'ble friend, Mr. Apcar."

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH said:—

"YOUR HONOUR,—As much has already been said about the Budget, I should refrain from making any remarks. I thank your Honour for the provision to Bihari Colleges, but permit me to say that the grants are by no means sufficient, as the education in Bihar is most backward, and I hope Your Honour will consider our claims as one of the most loyal provinces in Bengal in recent times. In conclusion, I would wish to endorse my fullest support to what has fallen from the lips of my friend the Hon'ble Maharajadhiraj Bahadur of Burdwan and Maharaja Sir Prodyot Kumar Tagore regarding our position as landlords as born leaders of the people."

[*Mr. Slacke; Mr. Macpherson; Mr. Duke.*]

The Hon'ble MR. SLACKE said :—

"Sir, In the course of his speech the Hon'ble Babu Deba Prasad Sarbadhikari pleaded for an increase in the existing rates allowable to Kanungos in respect of travelling allowance. Formerly Sub-Deputies and Kanungos were in respect of travelling allowance ranked together, but now for reasons which could not possibly be applied to Kanungos, Sub-Deputy Collectors enjoy the rates applicable to Deputy Collectors. I am consequently not in a position to hold out any hopes to the Hon'ble Member that his request will be granted."

The Hon'ble MR. MACPHERSON said :—

"In connection with excise revenue, the Hon'ble Sir Prodyot Kumar Tagore has expressed the hope that the decrease in revenue has been accompanied by a decrease in the consumption of intoxicants. Such, Sir, has been the case. During the last two years, there has been a decrease in the consumption of intoxicating liquor in the areas that are supplied from the distilleries, and the causes of this decrease are to be found, as I stated when we were discussing the Financial Statement, in high prices, scarcity and depression in various industries. In the year 1908 there was a falling off in consumption of 10 per cent. of liquor in the distillery areas; and in the year that has just ended, though there has been a small increase of consumption of liquor in Calcutta, there has been a continued decrease in certain districts, including the Sonthal Parganas. Another Hon'ble Member has remarked generally that the excise income is much criticised in this country and in England, and he asks that Your Honour will do something in this connection. If the suggestion is that excise is not a proper source of revenue, the only answer that can be given is that excise of liquor and drugs is considered a proper source of taxation in all civilised countries, and that one of the main objects of such taxation is to check consumption by making liquor and drugs dearer. I should be out of order in a Budget discussion if I were to attempt to deal fully with the Hon'ble Member's appeal to Your Honour "to do something in this connection," or at least "to give a few minutes' consideration to the subject," but I may be permitted to remind the hon'ble gentleman that in recent years an Indian Excise Committee has made enquiries covering the whole field of the administration of the law relating to intoxicating liquors, and that the Government of India's seven comprehensive Resolutions on the subject are not yet three years old, and that last year a new Excise Act for the Province was passed into law and that it has not yet been four months in force. The same hon'ble gentleman made some remarks with regard to excessive drinking by the aborigines of Chota Nagpur. I have explained on a former occasion in the old Council the remedial measures that Government has sought to apply in the Chota Nagpur Division, and especially in the Ranchi district, by establishing a distillery system in place of the old outstills, and by continuously curtailing the number of liquor shops and by removing them from conspicuous sites so as to reduce temptation. This subject continues to have careful attention—and not only in rules and authoritative instructions. Strong and sympathetic officers in the Chota Nagpur Division have made continued personal efforts in this direction, and the results are to be found in the Annual Administration Reports of the Departments.

Another Hon'ble Member has asked that the safeguards provided by law in respect of the consumption of opium may be enforced. I need only say that this matter too receives special attention. There has been a reduction in the number of opium shops in Orissa, where the increased consumption attracted attention; the duty on excise opium has also been raised in Orissa. In Calcutta and the adjacent districts the use of opium has been restricted, in order to check the operations of opium-smuggling It may be my duty to make further proposals for the increase of the excise prices of opium in certain districts."

The Hon'ble MR. DUKE said :—

"The first subject, Sir, to which I desire to refer very briefly is one which has been brought forward by the Hon'ble Babu Baikuntha Nath Sen and the

Hon'ble Babu Hrishikesh Law, viz., the separation of the Judicial and Executive functions, for which they have pressed, begging that they should not be long delayed. As I had occasion recently to say in Council, the matter is still under consideration and no pronouncement can be made upon it at present; but when so many demands are being made for improvement and reform, all of which require increased expenditure, it may be well to remind members that no change in this direction can be made without considerable cost, and that that is not the least of the many considerations that have to be taken into account. The Hon'ble Babu Baikuntha Nath Sen lightheartedly said that expense should not stand in the way. While that is the view of every one who is advocating particular reforms, reforms are many, and revenue, especially in a year like this, is very limited, and it must be admitted that expense is not the least of many considerations that have to be taken into account, and when the change does come, the expense will be a very high figure indeed.

"Another subject which has been brought up by the Hon'ble Babu Deba Prasad Sarbadhikari and particularly by the Hon'ble Babu Braja Kishore Prasad, is the condition of the Provincial service, particularly the Provincial Executive service. I wish that I had not to answer the suggestions which have been made because the Provincial service is one with which I have been particularly connected. The Provincial Executive service is a meritorious and useful body and in fact one of the main agencies by which Government carries on the administration, and if anybody ought to look after their interests it is surely the Government which they serve, and it is hardly pleasant for the Government to have to face the suggestion from outside that the service has not been properly treated and that its members are discontented. However, I would point out that all improvement is a question of money, and that the money required is to be obtained not from any mere abstraction called the Government, but from the general tax-paying public, and it has either to come by additional taxation, or by giving up some other desired improvement.

"The Hon'bleBabu Deba Prasad Sarbadhikari made the suggestion that the service was neither contentod nor well paid. The Hon'ble Babu Braja Kishore Prasad went somewhat further, if I heard him rightly, for he suggested that the discontent was notorious. I am quite willing to believe that there may be some amount of discontent. There are extremely few persons in or out of Government service who would not like larger pay than they draw, and there are very few indeed who do not think that they deserve it; but if we look at the question from the point of view of the employer, who is the Government, and of the tax-payer,—and these points of view should be identical,—the question is whether there is any serious and justifiable discontent to be met. The pay of the Provincial Executive service, like that of several other services in India, remains what it has been for may years past, and therefore some sort of case could be made out that prices had risen and the general standard of living become more expensive, and therefore that the pay should be raised; on the other hand it could be answered that the emoluments compare favourably with those of many other services which demand similar attainments. There is no lack of well qualified applicants of good character and position. There is no complaint that the standard of efficiency has fallen off owing to the effect of inadequate remuneration.

"The Hon'ble Babu Braja Kishore Prasad has certainly put me at a disadvantage by coming here prepared with an elaborate argument from figures and percentages which I now hear for the first time, but I gather that the gist of it is that the superior grades of the Provincial service are very small in comparison to the service as a whole, and he has tried to support that argument by showing the different percentages in the grades of District Magistrates and District Superintendents of Police and Assistant Superintendents of Police and in the grades of District Judges. I may mention that the trend of that argument is fallacious. The Provincial Executive service is one in which a man serves from the time he enters the public service as a rule until he retires. There are a few exceptions on one side of men who may have come in later in life by promotion. There are also a few exceptions on the other side of

perhaps half a dozen prize appointments outside the service, but upon the whole the service is as nearly as possible self-contained, and a man serves in it throughout the whole period that he serves Government. Under these circumstances it is only reasonable and in accord with all precedent that these prize appointments at the top should be very limited. What a man has to look to are the reasonably well-paid and substantial appointments in the middle grades, and these of course are the large grades of the service on Rs. 300, Rs. 400 and Rs. 500. It does not depend on the percentage of a few higher appointments, but whether these appointments in the middle of the service are sufficiently well paid? There is no comparison with the grades of District Magistrate and District Judge which are the average appointments of the Civil Service, while the prizes are the few higher appointments beyond these grades.

"I am not happy that I have been put in the position of arguing against the Provincial Executive service. I do not suggest that they have no grievance, but I do assert that these grievances must be brought up in a reasonable and considered manner, if Government is to accept them. There is no evidence that discontent is prevalent, and I deny altogether that any inference of ill-treatment of the service can be drawn from the sort of arguments from figures which have been produced just now. It is quite possible that an examination of the figures may prove that in proportion to other services the number of high prize appointments is too limited; but if that is to be established, it must be established on quite different grounds and on quite different data than those which have been put before us to-day."

The Hon'ble MR. GOURLAY said:—

"Before dealing with the points which concern the departments of which I am in charge, I may be permitted to refer to the speech of the Hon'ble Mr. Das on the subject of school gardens. The value of school gardens in the training of the young is universally acknowledged, and I have great sympathy with Mr. Das's aspirations. There are two difficulties, however, to be surmounted—(1) the training of teachers, and (2) the provision of necessary land. The training of the teachers is now being taken in hand in the *guru*-training schools, and I hope that through the sympathy and generosity of zamindars of the Province it will be possible in time to obtain small plots of land in the vicinity of primary schools. Mr. Das will be glad to hear that enquiries are at present being made with a view to providing some primary schools in the Dompara, Banki and Khurda estates with small gardens for this purpose.

"The Hon'ble Khan Bahadur Maulvi Sarfaraz Husain Khan has brought forward a suggestion for establishing an economic museum in Bankipore. I have had experience of the interest taken by the Hon'ble Member in the Bankipore Agricultural Show, which is one of the best in the Province; and if the members of the local Agricultural Association will take the matter up and provide a building, the Agricultural Department will furnish it with a collection of the economic products of the Province.

"I do not propose to speak again on the subject of the Subordinate Judicial Service; but I would not have it thought, when I spoke last on the subject, there was any want of appreciation of the work of the members of that service, many of whom are my personal friends. My desire then was to show that there was another side to the question, and that the service was not unpopular as might have been supposed.

"My friend, the Hon'ble Member for the University, suggests bringing up the matter again in this Council, and before that time I hope we may have an opportunity of discussing the subject so that we may each be able to fully appreciate the point of view of the other.

"The Hon'ble Member from Ranchi is concerned with the small allotment which has been made for defence of paupers accused in murder cases. The charge is a new one; we have very little to go upon in framing our estimate, but I can assure the Hon'ble Member that if the Rs. 5,000 provided is likely to fall short of the sum required, endeavours will be made to find the balance by reappropriation later in the year.

[*Mr. Küchler.*]

"The Hon'ble Babu Deba Prasad Sarbadhikari has referred to the decrease in Jail manufactures to which I drew attention when introducing the budget. As I said then, this is a matter which is receiving attention, but I think perhaps the Hon'ble Member is under some misapprehension. Less than *10* per cent. of the manufactures supplied by the jails are sold to the public. The balance is sold to other departments of the Government. The decrease in the revised estimate for 1909-10 is three and-a-half lakhs of rupees. I find that about one and-a-half lakhs is due to the falling off of the demands of the Ordnance Department for tents, and the balance is due mostly to the smaller demands from other Government departments, but also to an increase in articles manufactured for other jails which are supplied at the cost of the material. The stocks held by the department shew an increase of about one and-a-half lakhs during the year. As I have said already this matter is receiving attention.

"The only other point to which I desire to refer is the falling off of registration fees. As the Hon'ble Babu Deba Prasad Sarbadhikari has pointed out, the problem is an interesting and complicated one. Both stagnation in trade and scarcity affect stamp duties and registration fees. To clearly explain all the reasons for the decrease and increase would entail a very searching enquiry, but I think it is probable that the decrease in the number of transactions during a period of stagnation of trade would directly lessen the stamp revenue; while a period of scarcity when the cultivator is driven to mortgage his holding would necessarily increase the number of registrations and the amount of the registration fees. The estimate for the year 1910-11 is based on the actuals for 1909-10, and even though the explanation offered may not be exhaustive, it would be very unwise to estimate for a large revenue."

The Hon'ble MR. KÜCHLER said:—

"Marked attention has been drawn not only in the course of the present debate, but also at previous Council meetings, to the state of University education in Bihar, and it has been suggested that University colleges in that part of the province do not receive the same measure of Government support as in the Burdwan and Presidency Divisions. This conclusion is, however, I venture to think, founded on an erroneous interpretation of the figures and other data that have been put forward in its support. It is perfectly true that if we compare the population of Bihar with that of Bengal, the amount of public money spent on University education in the former appears to be inadequate, but this is not a sound basis of comparison. We have heard a good deal from Bihar members about the educational backwardness of their part of the country, but I think it will be generally conceded that this backwardness is not due to want of facilities of education, but on the contrary that educational institutions are few in number, because Biharies have hitherto shown no eagerness to make use of them. If we proceed then by figures at all, we should, I think, compare not the population or areas of Bihar and Bengal proper, but the number of University students reading in these two parts of the province, or perhaps, even more usefully, the fees paid by these students. Taking for instance the comparison instituted by the Hon'ble Member Khan Bahadur Maulvi Sarfaraz Hussain Khan between the grants-in-aid to Bihar and for Bengal colleges, which at first sight are very striking, to make it really effective, it is necessary to give the additional figures which I have previously suggested. The numbers reading in the Bihar colleges are:—

In the Bihar National College	... 184
In the Taj Narain College	... 207
Bhumihar Brahman College	... 77

While those in the four Bengal colleges are:—

St. Xavier's College	... 330
Bangabasi College	... 443
Metropolitan Institution	... 740
Scottish Churches College	... 720

[*Mr. Küchler.*]

"I take the most recent figures, namely, for 31st December, 1909. The totals are 468 and 2,293, respectively, a proportion of about 1 to 5, while the imperial grants as given by the Hon'ble Member show a proportion of between one-third and one-fourth. Again, taking the fee receipts, the figures for the two groups of colleges work out at Rs. 12,699 and Rs. 74,344, giving a ratio even less than that for the number of students. Judged therefore by either of these two tests, Bihar colleges would appear to be more than equitably treated. In the same way, if we consider the figures for the whole province, we find that the recurring grant of Rs. 2,400 for the Bihar National College, though apparently insignificant compared with the total amount of Rs. 68,000 spent in this way on all the colleges of the province, is not largely disproportionate to the corresponding student population. In 1908-09, for instance, for which year I have the complete figures, there were only 83 students in the Bihar National College out of a total of 3,262 in all the private colleges of the province. I do not, however, attach too much importance to these data. The argument from figures is apt to be misleading, especially in the present case, and there are other considerations of at least equal importance which regulate the question of grants-in-aid to private colleges. To Government one of the most important of these is how far the actual demand for University education justifies the rapid extension of existing institutions. I should like to say just a word or two on this point. In doing so I must in the first place acknowledge the extraordinary enthusiasm shown by the leaders of the Bihar community in the cause of education and the splendid liberality in which that enthusiasm has found material expression. In this respect Bihar now undoubtedly stands in the forefront and has shown a noteworthy example to the rest of the province. But, and I say it with all due diffidence, has not the desire on the part of the leaders for extended facilities for University education outrun the demand of the community itself, and is Government, therefore, which is the custodian of the public purse, justified in subsidising such an extension? I will take a typical instance. There are two colleges in Patna—one the Government college and the other the Bihar National College, a private institution. When the new regulations were introduced, it was considered doubtful whether there was room for two first-grade colleges in Patna, that is, two colleges teaching up to the B.A. standard, but the Bihar National College was given an experimental grant of Rs. 200 a month, pending the final decision on this question. Since then, that is, during the last three years, the numbers both in the Bihar National College and the Patna College have been under careful observation, and so far it would appear that although there are enough students to justify the establishment of intermediate classes up to the intermediate standard in two colleges, there are certainly not enough for two independent systems of B. A. classes. It is sufficient to give the figures for the present year. In the third-year class of the Bihar National College, there are only three students, and in the 4th year 10, while the corresponding figures for the Patna College are 32 and 38, but while these figures are very significant, especially those of the third year, I acknowledge that it would be very dispiriting to the authorities of the college and to the members of the staff to discontinue the B. A. classes altogether. The whole character of a professor's work is undoubtedly benefited if it includes advanced teaching, and the dignity of the college is also at the same time largely increased. Some allowance must also be made for the struggles which private colleges have to undergo in coping with the new regulations, and an experiment such as the present must not be discontinued too early, even if it does not at once meet with success at the beginning. At the same time it is perfectly clear that for the present the Bihar National College should very carefully limit its affiliation up to the B. A. standard. I have repeatedly impressed this point on the authorities of the college, but I regret to say that they have disregarded my advice, and have extended their affiliation before the resources of the college have justified such a step and before they have sufficiently considered whether such an extension has been called for on other grounds. The figures, however, which I have just given, show clearly that there is no room at present for two independent grade colleges in Patna with extended affiliation. There is, moreover, another aspect of the question

which I feel bound to bring to the notice of the Hon'ble Members from Bihar, and that is this. As the Bihar National College improves in general efficiency and extends its affiliation in the subjects for the B. A. Examination, the Patna Government College will inevitably suffer so far as its numbers are concerned. This is only natural when we consider that the fees in the former college are only Rs. 3 and Rs. 4, while in the latter they are Rs. 6. Nor is it a matter merely of speculation. In the years 1900-01 the number of students on the rolls of the Patna College was 306; on the 31st March 1909 it was 167, and though there have been ups and downs the fall on the whole has been continuous. It is true that in the present year the numbers have jumped up again to 213, but this sharp rise is shared with all the colleges in the province and is due to the large number of passes in the Entrance Examination of 1909. It does not show itself to any material extent in the B.A. classes with which we are more immediately concerned at present. The issues here involved are very important, and I do not wish to dwell on them now. It is sufficient if those who are interested in the welfare of the Bihar National College realise that the question of the extension of the affiliation of the college is not free from complications.

"Another case which has been pressed on the attention of Government is that of the Bhumihar College, and the question of a grant-in-aid to this college is governed by the same considerations as in the case of the Bihar National College. When an application for Government aid was first submitted to me at the end of the year 1908, I strongly advised the committee in view of the exacting requirements of the new University regulations to put the college on a sound second-grade basis, and only to establish B.A. classes when there was clear evidence of a strong local demand for such higher teaching. At the same time I undertook to recommend to Government their application for a grant in-aid sufficient for the working of a first-grade college, if they could show that such an institution would supply a real want in North Bihar. No attempt has, however, been made to produce any evidence to this effect, presumably because it does not exist, and the Committee is still pressing for a large Government grant to enable them to maintain the institution as a fully staffed and fully equipped first grade college. Unfortunately the figures at my disposal entirely fail to support their claim. The number of students reading in the third and fouth year classes has always been very meagre and shows not the slightest tendency to increase. In the present year there are only three students in the third year class and four in the fourth. The Hon'ble Member Babu Braja Kishore Prasad has stated that the college has fully justified its existence as a first-grade college by turning out a good number of graduates in a few years of its existence. But on examination I find that during the last three years it has only turned out four which hardly seems to support the claim he has put forward. Nor is there any prospect of the numbers in the B.A. classes increasing, for in the two other private colleges in Bihar taken together the corresponding numbers are only 15 in the third and 30 in the fourth year. The whole number of Bihari students reading in the three private colleges for the B.A. Examination could therefore without difficulty be provided for in any single one of them. I would appeal therefore to the Hon'ble Members from Bihar whether these figures do not show that there is great waste of resources in the matter of higher University education, and whether Government is not fully justified in jealously scrutinising applications for the multiplication of first grade colleges under present conditions. So far for the private colleges. Another ground of complaint is that the Patna Government College does not include a sufficient number of subjects in its curriculum. More specially it is urged that there should be a provision for teaching Philosophy and that M.A. classes should also be opened. I would point out, however, that having regard to the number of its students, Patna College is far more liberally staffed than any other Government College in Bengal. The present proportion is one professor to 14 students. It likewise has the advantage of a splendid site, ample space for play-grounds, excellent hostels and liberal class-room accommodation, and when the new laboratory which has been administratively sanctioned is erected, it will be in every way the model college which Sir Andrew Fraser intended. It is obvious,

however, that under the new regulations no college can be affiliated in every subject recognised by the University, and the smaller the college the more restricted must its affiliation ordinarily be, but as I have already pointed out the staff of the Patna College and consequently its affiliation is on a singularly liberal scale and no further extension is justified at present. With regard to the particular subject of philosophy it was represented by the Principal that this was a very unpopular subject and that students were unwilling to take it up. Affiliation in Political Economy and Political Philosophy was therefore substituted in its place, and this subject forms a much more natural combination with History, in which the college is also affiliated, and which is one of the most popular and desirable branches of University study.

"As to the want of M.A. teaching, this point has already been dealt with in the answer which was given by the Hon'ble Mr. Gourlay to a question on the subject. I do not think Hon'ble Members sufficiently realise as yet the very high standard of the new University courses for the M.A. degree and the consequently small number of students who are qualified to pursue these studies. It is a commonplace of University education that the more specialised a subject is the fewer can be the centres at which that subject is taught, and for many years to come M A. teaching in this province will have to be confined in this province at least to Calcutta. Even at the Presidency College affiliation up to the M A. standard has so far only been secured in four subjects. Scholarships have, however, been instituted by Government in order to enable promising mufassal students to pursue their studies for the M.A. Examination in Calcutta, and that this will amply meet the wants of Bihar for a very considerable time to come will be shewn by the following figures which I have at my disposal. In the first place the total number of students at present reading in the fourth year classes of the Bihar colleges is 72: taking the proportion of passes in the past, perhaps some twenty-five of these may be expected to pass, and of the latter three or four to take honours. It is only these honour students who may, with any reasonable hope of success, attempt to go in for the M.A. Examination, and it is therefore clear that the time has not yet come for the establishment of independent M.A. teaching at Patna. Still more conclusive, however, are the figures with respect to candidates who read for the M.A. Examination in the years before the introduction of the new regulations, when Patna College was not precluded from preparing and sending up candidates for the M.A. Examination. In the years from 1901 to 1909 only 11 candidates appeared from Bihar, of whom six passed. These figures speak for themselves, and require, I think, no further comment.

"Another point which has been raised with regard to education in Bihar concerns the Patna Training College. This was started experimentally in October 1908, as it was felt that a certain amount of hardship would be created if Bihar teachers were compelled to come to the David Hare Training College at Calcutta for their training. It was decided that owing to the paucity of Bihari graduates the usefulness of the institution would be largely increased, if it prepared candidates for the Licentiate of Teaching diploma instead of for the Bachelor of Teaching degree, the examination for the former being open to all under-graduates who have passed the Intermediate or First-in-Arts examinations. There is no question of preparing for both examinations. Even the David Hare Training College with its larger staff and greater number of students has to limit itself to the preparation for the Bachelor of Teaching examination. It is therefore obvious that the best results will be obtained if the Bihar Training College adheres to the Licentiate of Teaching examination as the basis of its curriculum. I should add that we have still not enough data to enable a definite decision to be arrived at, as to the question of the permanent retention of the college itself. Personally I do not anticipate any difficulty in this respect, but it is well to bear in mind, when proposals are put forward for extension of staff and curriculum, that the college has not yet been two years in existence, and that it has not yet passed beyond the experimental stage.

"In connection with the new Law College at Bankipore, the point has been raised that students find it difficult to come to Calcutta for examination, and it has been suggested that Bankipore should be made a centre of examination,

This is a matter, however, for the Syndicate to decide, and I have no doubt that if a proper representation is made to that body, it will receive very careful consideration.

"As regards the question of a play-ground for the Patna Collegiate Schools, I can only say that enquiries are being made on the subject, and I hope that the issue will be favourable.

"The Hon'ble Khan Bahadur Maulvi Sarfaraz Husain Khan has made a reference to the Patna Female Training College and has expressed himself in somewhat pessimistic terms as to the success of the institution. He seems inclined to favour, in preference, the peripatetic system of teaching and to question the qualifications of the staff of the college. No representation has, however, been received from the Advisory Committee suggesting a diversion of the funds allotted to that institution to other methods of providing education for Muhammadan girls. I have no reason to believe that such a representation will be forthcoming, and I am more hopeful than the Hon'ble Member appears to be as to the future success of the college. On this question, however, it is far too early to pronounce definitely. As to the qualifications of the assistants to the Lady Principal, it is perfectly true that the lady occupying the post of Mistress of Method has had no preliminary training for this work. It was found impossible at the time of the opening of the college to secure the service of a trained Muhammadan lady teacher. Such in fact do not exist. It was intended, however, as soon as things had settled down at the college, to depute the ladies who are now acting as Mistresses of Method to the Ahmedabad Training College for training, and I hope that it will still be possible to carry out this idea.

"The Hon'ble Babu Braja Kishore Prasad has also referred to the question of secondary education. I am in full sympathy with him as to the necessity of improving secondary education, and as has already been intimated in Council the matter is at present under the consideration of Government. There are one or two points, however, in his speech which call for remark. Owing to the difficulty of obtaining Bihari graduates, I have found it necessary in several cases to offer Rs. 50 as a commencing salary, though even this amount is not sufficient to attract graduates to Chota Nagpur or for the district of Purnea. It is impossible, however, to offer these terms on an unlimited scale, as to put a Bihari on this pay into the Subordinate Educational Service constitutes a grave injustice to the graduates from Bengal, who are recruited on lower terms in the Lower Subordinate Education Service. It is therefore necessary to restrict the number of graduate teachers in Bihar schools and to content ourselves with the under-graduates, if we are to maintain the principle that posts in these schools should as far as possible be filled by Biharis, and this restriction must inevitably continue until the prospects of the service as a whole are improved.

"I am afraid I have occupied practically the whole of the time at my disposal with the educational problems of Bihar. Fortunately the points raised by other Hon'ble Members with regard to the budget provision for education in the rest of the province can be dealt with very shortly. It has been stated with regard to technical education that only Rs. 5.,000 has been provided in the budget for this purpose. Fortunately I am in a position to correct the misapprehension of the Hon'ble Member Rai Sita Nath Roy Bahadur on this subject. The Rs. 59,000 to which he refers includes the Serampore Weaving School and the Ranchi Industrial School. There is also an extra grant of Rs. 6,600 towards the former as shown in the schedule of the financial statement, and under grants-in-aid there is an item of Rs. 11,540 towards technical and industrial schools. All this perhaps does not amount to very much, but I am afraid I must disagree with the Hon'ble Member in his suggestion that the grant of Rs. 3,15,000 for the Sibpur College should not be regarded as coming under technical education. Though the college cannot be regarded as a technological institution in the full sense of the term, it includes in its curriculum not only civil Engineering which of course belongs to technical education but also Mechanical Engineering and Mining, and provision has been also made for opening classes this year for instruction in Industrial Chemistry. It will be seen therefore that technological education is not being neglected by

Government, but that a very important beginning has been made, which will no doubt undergo considerable development as the industrial conditions of the country demand it.

"I sympathise with the Hon'ble Member Babu Bal Krishna Sahai in his desire for increased facility for female education and for training female teachers. The training of female teachers is, however, a matter in which we have to proceed most cautiously and in which we require at every step the support and advice of the Indian community. A very promising beginning has, however, been made both at Patna and Calcutta, and though the results may not be very striking at first, I feel certain that the institutions which have been started at these two centres contain the germs of future success.

"The Hon'ble Member has also raised the question of moral training in schools and colleges. So recently as the year 1905 it was decided by the Government of India that morality should be inculcated in schools only by indirect methods, but events have marched rapidly since then, and it is possible that the decision arrived at then may yet have to be reconsidered. The question of moral teaching, I may mention, was fully considered at an International Conference which sat in England in the year 1908, and though opinion was strongly divided on the subject, several valuable instances such as that of the French schools were quoted, where the system of direct moral teaching seems to have been successful.

"The Hon'ble Mr. Das has referred to the desirability of attaching experimental farms to village schools and of teaching school-boys some form of handicraft. Both of these questions have received attention in the revised syllabus for Standards I to VI, but it has been thought more useful to provide school gardens rather than experimental farms for the training of school children. I have now under consideration a scheme for attaching a school garden for all the zilla schools in the province, and it is hoped that the example will be followed later on by private institutions.

"I am afraid I have left myself no time to discuss the important questions of primary education and the removal of the Presidency College. The former is a very large question, but its discussion would serve no useful purpose, as it has been sufficiently shown in the debate which took place on the subject in the Imperial Council that no material advance can take place without a large grant from Imperial revenues. There were one or two statements, however, made by the Hon'ble Babu Bhupendra Nath Basu in dealing with the questions which require some modification. The Hon'ble Member gave the sum of Rs. 6,20,000 as covering the total expenditure of Government on primary education. It is, however, much larger than this, for he has overlooked the expenditure on *maktabs*, which are the schools for the primary education of Muhammadans on *guru*-training schools, and, though I am loth to mention it in view of the inimical attitude of certain Members of the Council on the subject—on inspection. A very large amount is spent on the pay and travelling allowance of Sub-Inspectors, who are the officers more immediately concerned with the control of primary schools. Again as regards the pay of *gurus*, the Rs. 2 and Rs. 3-8 referred to by the Hon'ble Member does not represent the total salary of these unfortunate individuals. The greater part of the income of the *gurus* is derived from the fees of the children who attend the schools, and their average pay may be stated at about Rs. 7.

"As regards the removal of the Presidency College, my only object in introducing the subject into my budget remarks was to give an opportunity to the public of giving expression to any change of opinion which might have taken place since the matter was first discussed. I find, however, notwithstanding the strong advocacy of removal by the Hon'ble Mr. Apcar, that opinions are still very much divided on the question. It is true that I am personally in favour of removal, but I am still more strongly in favour of finality, and in the absence of unanimity of public opinion on the matter, it is better that it should be decided to retain the College on its present site."

"In conclusion I hope that the explanations I have just given will have served to put in a clearer light some of the points raised by Hon'ble Members and will have shown that in such cases, not a few in number, I am afraid, where Government has not been able to satisfy the demands for increased expenditure on the part of the Hon'ble Members, the refusal has been dictated not by want of sympathy, not by merely financial reasons, but by considerations which have presented themselves after a full and careful examination of the merits of each question."

The Hon'ble Mr. Wheeler said:—

"It remains only for me, Sir, to explain a few points in connection with the administrative departments with which I am concerned, as regards matters which have not been noticed by other Members in charge. These refer to the Medical and Sanitary Departments, and to the affairs of District Boards and Municipalities.

"In the Medical Department I think I can allay the fear expressed by the Hon'ble Babu Bal Krishna Sahai that the creation of the separate chair for the Professor of Anatomy at the Medical College may result in a loss of efficiency if the present appointment of Professor of Anatomy and Second Surgeon be simultaneously abolished. There is no such intention. The teaching of Anatomy has been combined with the duties of Second Surgeon since the establishment of the College, but the increase of surgical work, which will be added to still further when the new Surgical Block is opened, has prevented the Second Surgeon from devoting as much personal supervision to the professorship as was desirable, and the combination of surgical practice with work in the dissecting room is obviously open to objection. The new Professor will devote his whole time to the teaching of anatomy; the Second Surgeon will thus have more time for surgical work proper, and will conduct practical classes in clinical and operative surgery, while also delivering a special course of lectures on throat and ear diseases. The standard of teaching in the College on these subjects should thus be materially improved.

"With reference to the Hon'ble Babu Deba Prasad Sarbadhikari's suggestion that retrospective effect might be given to any reorganisation of the services of Civil Assistant Surgeons and Civil Medical Assistants, I am afraid the usual rule will apply, namely, that the change will be introduced from the date of the orders approving it, but in the case of the Civil Medical Assistants we hope those orders will be passed almost at once. This is what is being done in the case of the improvement of the ministerial services, orders as regards which were passed some time ago, although delay has subsequently ensued in working out the details.

"Turning to the matter of sanitation the Hon'ble Babu Hrishikesh Laha fears that we have unduly cut the allotment for sanitation and vaccination in the Medical Budget which amounts to Rs. 2,33,000, but the decrease in comparison with the preceding year is mainly due to the omission of the provision for the reorganisation of the Sanitary Department, and to the fact that the Budget for 1910-11 contained a provision of Rs. 30,000 for enquiries recommended by the Drainage Committee. Any such expenditure during 1910-11 will be met from the grant of 4½ lakhs for sanitary improvements. For plague preventive measures there is a separate provision of Rs. 48,500 which the Hon'ble Member has perhaps overlooked.

"Otherwise the general drift of the criticisms which have been made is that something more should be done for the improvement of the sanitation of the country, but these remarks seem to me to overlook the two main issues, namely, the organization by which these sanitary measures are to be undertaken, and the funds from which they are to be financed. Really the second question is the vital one, and until Hon'ble Members can show us from where the money is to come to pay for the different works of improvement which they wish to see carried out, the discussion must always remain to some extent unreal. Towards organization we have Municipalities, District and Local Boards and Union Committees, but the true difficulty lies in the absence of

an active agency in the villages themselves; the history of Union Committees has been a somewhat chequered one, and the results of recent attempts to resuscitate village panchayats have still to be seen. Progress will inevitably be slow. When we touch on finance we are at once confronted with the reluctance of the people who ask for these works of improvement to pay for them. Government already does help Municipalities and District Boards to a far greater extent than it ordinarily gets credit for, and it is difficult to see how the extent of that assistance can be materially increased. The alternative is local taxation, but if there was anything more marked than another in evidence which I not long ago had to listen to and read in connection with the Decentralization Commission it was that no one in any part of India wanted to pay for sanitary improvements. This is the history of so many sanitary schemes; they are urged by the local residents, examined, and worked out, only to collapse for want of funds. I recently was reading the papers of a scheme, doubtless known to some of you, for the improvement of the Nawi and Soonthi rivers in the neighbourhood of Baraset; the unhealthiness of that area has been often represented, and schemes have been discussed since the eighties onwards. A project has now been sent up; yet in the course of enquiries about the incidence of the cost, a certain section of the inhabitants urged that the place was not unhealthy at all. Another scheme is at present before Government which has been elaborated at considerable expense and towards which both Government and a Member of this Council have promised help, but objections are now being raised locally to the cost. It is this question of finance which is the stumbling-block, and if more is to be done to improve sanitation, the cause will perhaps be better furthered by enlisting the practical co-operation of the localities concerned than by pressing for larger allotments at a time like the present.

"The Hon'ble Babu Baikuntha Nath Sen has drawn attention to two conspicuous examples of private liberality in the Murshidabad district, in which Funds have been created for the improvement of the water-supply and works of sanitation, and that example is doubtless most laudable; but as regards the claim for the special treatment of the district in recognition of this fact, it may be pointed out that out of the sanitary improvement grant for 1909-10, Murshidabad in one way and another received Rs. 57,500.

"As regards the subject of Local Self-Government generally we have the criticisms of the same Hon'ble Member that the villagers in the *mufassal* do not receive an adequate return from the District Boards for their payments of the road and public works cesses, and as regards Municipalities that these should be left a freer hand in the management of their own affairs. The first point touches rather the administration of the District Boards, and is thus scarcely connected with the present Budget. It has been admitted that the resources of District Boards might with advantage be increased, and this has been practically recognised by the grants in-aid now given equal to 25 per cent. of the net road cess receipts, which in the current Budget account for no less a sum than Rs. 8,90,000. Government also makes a number of miscellaneous grants to District Boards. Within the funds at their disposal I have never heard it established that District Boards, as a whole, are wasteful in their administration, and if they are, the remedy lies mainly in the hands of the members of these Boards.

"As regards the control exercised by Government officers over the proceedings of municipalities, we recently had occasion to examine a number of suggestions and criticisms which were made by the Decentralization Commission on the subject of Municipal administration generally and the net result, as regards Bengal, was that no case had been made out for much radical change. The principal suggestion of the Commission was that municipal budgets should be exempted from all control by District Magistrates and Commissioners, and in the case of four large Municipalities in the Burdwan and Presidency Divisions, with an annual income of over one lakh of rupees, it has been decided to make an experiment in this direction. It was not thought expedient to relax all supervision in the case of smaller towns, more especially in Bihar

and in the Chota Nagpur and Orissa Divisions, but the policy of Government is to discountenance interference with details and to endeavour to assist municipalities by advice in the first instance, rather than rigidly to curtail the exercise of their discretion. It is doubtful whether in any matters of importance, municipalties are unduly checked and fettered, and the Hon'ble Member must have personal knowledge of at least one case in which they have been allowed to land their affairs in a state of considerable confusion. The difficulty is that when this ensues application is at once made to Government for help, and this fact necessitates the retention of powers of supervision in the hands of Government which perhaps would not be required were public interest in the efficient management of local affairs stronger. An enquiry is now in progress whether the elective system could usefully be extended to any municipalities which do not at present enjoy that privilege.

"As regards the plea that larger grants-in-aid should be given to municipalities it is perhaps not generally known that in 1908-9 the total grants given by Government were equal to 8·8 per cent. of the total municipal income in the province (excluding the opening balance of the year), the corresponding figure for 1907-08 being 6 per cent. and for 1906-07, 3·8 per cent. Substantial assistance is, therefore, already given, and such grants are showing a tendency to increase. In 1908-9 they amounted to Rs. 5,33,238.

"With reference to the recommendation of the Hon'ble Maharajadhiraj of Burdwan, that Government assistance to local bodies should not be made absolutely conditional upon the contributions of two-thirds of the cost of the project from local resources, he will find by reference to various recent instances that that limit has not been applied in the past with absolute rigidity. Government has always considered each application upon its merits, and has only insisted, as it is bound to insist, that the local co-operation should be substantial, and in reasonable proportion to the total expenditure involved.

"The Hon'ble Babu Deba Prasad Sarbadhikari complains of the grants-in-aid given to the Calcutta and Howrah Municipalities, and urges that the money could have been better applied to the poorer towns, noticeably Hooghly and Puri. The case of the widening of Seal's Lane in the Howrah Municipality is still the subject of correspondence; it is in contemplation to make over certain lands acquired, if the municipality constructs a drain and metals and lights the road, etc. Government is interested in the matter for the improvement of its property in that town. The two subventions to the Calcutta Corporation are in connection with the realignment of a sewer near the new Presidency Jail and the drainage of the fringe area. The first work was undertaken at the instance of Government and in the interests of the jail; hence the cost of it is being met by Government. The second grant was the outcome of considerable discussion with the Corporation. That body urged a large claim against Government for assistance towards the drainage of the land in question, in respect of the action of Government in connection with the Circular Canal and the intercepting sewer. Government did not admit the claim as one of right, but a promise of help was given in September 1908. I agree that the Corporation was treated with considerable liberality, but I doubt if the representatives of that body who are in the Council would admit this. I would recommend the Hon'ble Member to fight out the matter with the Corporation. As regards the competing claims of other bodies, the Hon'ble Member will find mention of various grants-in-aid to different municipalities in paragraph 61 of the Budget notes. It is true that neither Puri nor Hooghly are included therein, but the former town received Rs. 75,000 in 1907-08 towards its drainage project and Rs. 1,04,000 in 1908-09 towards its water-supply scheme. It has scarcely therefore any very valid ground of complaint. Hooghly was promised a lakh under certain conditions in 1908, towards a project of water-supply, and was actually given Rs. 30,000 in 1908-09. The total estimate amounts to Rs. 4,53,118, and the question of finance is at the present moment the subject of discussion with the municipality.

The Hon'ble Babu Bal Krishna Sahai asks for special assistance to the drainage schemes at Ranchi and Hazaribagh. The project for the latter town

was administratively approved in December last at an estimated cost of Rs. 88,459 and will be undertaken gradually as funds permit. Government has already made a grant of Rs. 10,000, and has promised a loan of Rs. 20,000, which is all that the municipality can immediately afford to take. Government surveyors are working on a drainage scheme for Ranchi, but the plans and estimates have not yet reached Government. When they come up the question of finance will be examined, and I have no doubt that if the local municipality is willing to co-operate, help from Government will be forthcoming.

"I do not think there are any other administrative points to which I need refer, and as touching the Budget generally, the general trend of these debates has been sympathetic. It is inevitable that there should be a cry from various directions for more, but as regards the method of the distribution of what we have got, there has not been much criticism. The Hon'ble Babu Braja Kishore Persad asks for more detail to be furnished in the Budget, more especially as regards the grant-in-aid allotment of the Education Department. If he refers to preceding Budget discussions of this Council, he will see that that is a matter to which the Finance Department has paid attention in the past, and various changes have been introduced from time to time amplifying the details given. In the particular instance he cites, I will see whether something can be done. The Education Department is responsible for the distribution of the lump grant, but there are certain recurring grants which it is known will be made from year to year, and it should be possible to give details of these. In any case detail of the distribution of the preceding year could be given, as has been done in the case of the sanitary improvement grant.

"Finally it remains to refer to the various criticisms which have been made on the subject of the procedure which has been adopted this year in the discussion of the Budget. These have been directed mainly against the shortness of the time which was allowed to Hon'ble Members for the examination of the Revised Financial Statement and the filing of Resolutions in respect of it. As I understand the Hon'ble Mr. Das he would have liked to have had two meetings for the discussion of the Revised Financial Statement: the first at which the different Members in charge would have offered their explanatory remarks; the second for the moving of Resolutions In the first place I would emphasise the fact that whatever the defects of the system followed this year, it constitutes a great advance on anything which was done before to enable the Council to grasp the contents of the Budget and to offer suggestions for its amendment. Under the old rules there would have been one discussion of the Budget, and one only, such as we have had to-day; under the new procedure the Council has had three opportunities of discussing the figures in whole or part. The first was by the Finance Committee of the Council, of which half the Members were elected. It is true that the Hon'ble M. Saiyid Muhammad Fakruddin complains that no Biharis were elected to that Committee, and desires the amendment of the rules so as to ensure their return. It is not quite clear what change he desires. The Committee is the agent of the Council to advise upon a particular portion of the Budget—the distribution of the unallotted expenditure—and it is for the Council to elect representative nominees, who will see that the interests of all parts of the province are, so far as practicable, represented. Moreover, it should be quite possible for any Member of this Council who was not upon the Committee to ensure the examination of any matter in which he was particularly interested, if any such point had been brought to my notice, I would certainly have been glad to look into it. Subsequent to the Finance Committee the Council had before it the Revised Financial Statement, head by head, and finally we have the present discussion. These changes were all intended to make for the better understanding of the figures and for expressions of opinion regarding them.

"But this elaboration of procedure has had two results. Compliance with it has meant that we are tied down to an exact calendar of dates by which

the different stages have to be got through; secondly, the multiplicity of the stages has meant that the permissible interval between each is necessarily short. It is to be remembered that in respect of its Budget Bengal is not independent; our figures have to be submitted to the Government of India and passed by them. They too have their own Budget to compile, in which our figures and those of other provinces find a place. Apart from the proceedings in Council there are various stages of first, second and final editions, all being corrected and amended in view of later actuals and developments, and the whole thing forms a somewhat intricate chain in which each link has to be completed by a certain time. It is not open to the Local Government to delay a particular stage; if it were to do so the Imperial Budget would be thrown out of gear. At the same time all these stages have to be crowded into a very brief space.

"I admit that the interval given to Hon'ble Members for giving notice of Resolutions on the Revised Financial Statement was regrettably short. I can assure Hon'ble Members that if the intervals between the different stages of the Budget were longer, the lives of the Finance Department in the cold weather would be far easier, and it is from no disinclination to extend them that we have been actuated. The question is solely one of what is practicable. The procedure followed this year was new, and we have now had experience of its working. None of the Hon'ble Members have put forward suggestions for shortening the procedure, and that is really what is wanted. It is likely that the whole matter prior to next Budget will be further examined. Our difficulties in Bengal are probably not unique, and it can be seen how other provinces have surmounted them. We seem to need to eliminate some of the stages, possibly sacrificing some statistical accuracy, but giving longer time for the more essential portions of the system. For instance, speaking purely for myself, I am not at all sure that the discussion of the estimates on two occasions, once piecemeal and once as a whole, is really necessary. The discussions tend to overlap and to extend to matters not directly concerned with the Budget. However, it is unnecessary to enter into details now. The essential point is that the system was new, and its working this year shows that at some stages it moves rather creakily. We shall have to see before next Budget how far it can be improved upon.

"On the subject of the financial position of the province generally, it is perhaps unnecessary to say much. We are better off now than it was thought we should be when the Budget for 1909-10 was under discussion, because it was then thought that we should end the year with nothing by way of a true balance. We hope to end the current year with our minimum balance of 20 lakhs, and so far there is a considerable improvement, but it is obvious that we have still no available margin which will permit of lavish expenditure. We can keep the machinery going and improve it slowly, but that is about all. As for the future, I would commend to the attention of the Hon'ble Babu Baikuntha Nath Sen the recent remarks of Sir Guy Fleetwood Wilson regarding provincial financial settlements generally. So far as I can gather, other provinces in the course of that debate seem to have thought that Bengal was peculiarly favoured, and while it is scarcely to be expected that I should admit that, we have certainly been greatly helped by the special assistance that the Government of India have accorded to us. Whether we are likely to get more is a question upon which I would not now care to enter. We should certainly like more if we can get it.

"Before I close, there is only one personal matter to which I would like to refer. This concerns an officer of the Financial Department. He does not figure in this Council, but his work is known to many of us. I refer to Rai Surendra Nath Mitra Bahadur, who after many years honourable service in the Financial Department, finally attained the position of Under-Secretary, and is now about to retire. He has for many years helped in the framing of the budget, and as this is the last budget with which he will be connected it is right that the good work done by him should be publicly recognised.

[*The President.*]

"The President said:—

"GENTLEMEN OF THE COUNCIL,—You will, I am sure, be glad to learn that it is not my intention to trouble you with a lengthy speech on the present occasion. The points that have been raised by the various non-official speakers have, for the most part, been dealt with fully and effectively by the various members who have replied on behalf of the Government, and it is unnecessary for me to go over the same ground again. I propose to confine my remarks to two or three matters, and these I have selected partly because of their intrinsic interest and importance, and partly also because in regard to them I wish to add a few remarks to what has been said concerning them by the official speakers.

I was very pleased to hear what fell from the Hon'ble Mr. Wheeler just now about Rai Surendra Nath Mitra Bahadur. My acquaintance with the Rai Bahadur goes back to the year 1882, when I first came down to the Secretariat to officiate as Under-Secretary in the Financial Department, and during the twenty-eight years that have passed since then, the Rai Bahadur must have coached, I do not know how many Secretaries and Under-Secretaries in the Financial Department, and he has always done his work with the greatest willingness and the greatest capacity. It was a matter of much gratification to me when I learnt two years ago that there was a possibility of rewarding his admirable services by promoting him to the position of Under Secretary.

The next point relates to the remarks which have been made concerning the rules which govern the business of the Council itself. Several Hon'ble Members have complained of the shortness of the time which the rules allow for moving resolutions in regard to the budget: others have taken exception to the method of electing members of the Finance Committee; more than one member has hinted that under the operation of these rules the province which they represent has been virtually excluded from the Committee. One Hon'ble Member has gone so far as to criticize the rules for the constitution of the Council itself, including in his condemnation the special electorates, which form an essential part of the present system; the exclusion from the Council of what he describes as the 'real leaders of thought'; and the nature of the non-official majority.

With regard to the last point I must point out that the observations of the Hon'ble Member were not strictly in order in connection with the budget debate; and I only refrained from interposing because we are always anxious to ascertain the views which are held on this important subject by all members of the public. I was glad that I allowed him to speak, for his remarks promptly called up those non-official Hon'ble Members, who expressed very different views, and dissociated themselves from what he had said. In any case the Hon'ble Member cannot possibly expect that Government will give any reply to his specific criticisms on the present occasion. I will merely say, with reference to his observations on the subject of special electorates, that this particular question was the subject of very full public discussion during a large part of last year, and it was decided on by the Government in this country and by the Secretary of State after the fullest consideration. Speaking for myself only, I think it is exceedingly doubtful whether any modification of this principle is in the least likely to be agreed to.

"With reference to the complaint that the time allowed for moving resolutions was inconveniently short, I am disposed to agree with the view that Hon'ble Members have taken, and we shall be prepared to consider whether it is possible to extend the time in any way. But, as the Hon'ble Finance Member has explained, the period is in the long run determined by the dates fixed for the various stages of the Financial Statement in the Imperial Council, and I am not very sanguine that it will be possible to arrange for any material extension. I quite agree with the Hon'ble Members who have commented on the procedure for choosing members of the Finance Committee. This matter has been privately brought to my notice already, and before next year comes round we hope to be able to place the arrangements on a more satisfactory footing.

[*The President.*]

I cannot, however, understand in what way the province of Bihar has been prejudicially affected by defects in this part of the rules more than any other part of the province. We should certainly have preferred if the Finance Committee had included representatives of Bihar, but it is not very clear to me that their absence on the present occasion was due to any defect in the rules rather than to the abstention of the Bihar members themselves.

"The next point to which I will refer is the demand which has been put forward by a considerable number of Hon'ble Members for increased expenditure on sanitation. This is a demand which comes up with considerable regularity almost every year, and it is not a matter for surprise that it should have been brought forward on the present occasion. I regard the persistence of Hon'ble Members in this matter as a good sign rather than otherwise, for it indicates the increasing interest which the representives of the public feel in a matter which is necessarily of the greatest public importance. But, when Hon'ble Members are engaged in criticising the allotments for sanitary improvements and demanding larger grants in every direction, would they not do well sometimes to consider what is actually being done and what has been accomplished in the past. I seldom find any recognition or appreciation of past or present progress in the remarks which are laid before Council on these occasions, and it must be manifest that, without some knowledge of what has been and is being done, the criticisms of Hon'ble Members are liable to miss the mark. In passing I may say that by the term sanitation I refer to two classes of work only, namely, water-supply and drainage. Strictly, of course, the term includes other matters also, by no means unimportant in themselves; but in comparison with these two primary items they are relatively negligible. Now, gentlemen, I find that in the year 1909-10 which has just come to a close, sanction was newly given to no less than 17 fresh projects of which five were for water-supply and 12 for drainage. All these schemes had been fully worked out, and adequate arrangements had been made to finance them. These are new additions to a larger number of similar projects which had been sanctioned in previous years and which are in progress at the present time. In every case grants from Government have been given in aid of the works, and if it is the case that in some instances the allotments are smaller than the local authorities would like, I can assure you that they are as much as it has been possible for Government to afford. If Hon'ble Members will turn to page 18 of the Financial Statement, they will find a list of the grants which have been given during the year that has just closed for works of this nature. They will see that there are no less than 23 of them, of which 16 are for drainage and seven for water-supply. Now, gentlemen, I cannot admit that this is altogether a bad record. If we go on sanctioning and carrying out new schemes of drainage and water-supply at this rate without any check or set back, we shall, within a generation, have made adequate provision for all big towns in the province, and even for a tolerable number of the larger villages also. When I came to India some 31 years ago, if I remember rightly, the only town in Bengal which possessed a system of filtered water-supply was Calcutta itself. How many towns possess that enormous advantage now? There is ample room for difference of opinion whether we can do more than we are doing; but at all events no one can deny that appreciable progress is being made. The question is almost wholly a matter of funds. Mr. Wheeler has told us of the strong objections which were taken before the Decentralization Commission to the levy of taxation for this purpose. You probably share those objections: and without some such measure I can see little prospect of materially increasing the funds available.

I now turn to the question of education. There we find, as usual, an appeal put forward for enhanced expenditure in every branch. Primary, secondary and collegiate education, female education, training of teachers, technical and industrial education, all have their ardent advocates in this Council, and none of them experiences much difficulty in establishing a strong case in favour of his own special interest. Here again, gentlemen, I must ask you to look back a little and see for yourselves what progress has actually been made in the recent past. If you turn to the figures in the Financial Statement as the Hon'ble Siva Sankar Sahai has done, you will find that between the years

1906-07 to 1910-11, that is a period of four years, the total sum provided in the Education Budget has risen from 38½ lakhs to over 59 lakhs, that is to say, by more than 20 lakhs, and by considerably more than 50 per cent. These figures are exclusive of the educational expenditure which passes through the accounts of District Boards, but which is for the most part provided from Government sources. Gentlemen, you will admit that that is a very large and a very rapid increase. We can certainly afford no more: I doubt if we can really afford so much. I would add that these figures do not include the cost of educational buildings constructed or maintained by the Public Works Department. I fear that I can hold out little expectation of any rapid expansion of the educational allotments in the immediate future.

"I now desire to make a few remarks regarding the question of the removal or retention of the Presidency College, which has been referred to by several speakers to-day. This is a most important and interesting question, and I do not in the least regret that it should have been raised, though I fear that I cannot regard the proposals for the removal of the college as of a very practical nature. I am not insensible to the force of the arguments put forward by Mr. Apcar in his powerful speech: but my own views are much more in accord with those expressed by the Hon'ble Babu B. N. Basu and the Hon'ble Mr. Küchler. I would remind the Hon'ble Members that this question was raised five years ago in the budget discussion of 1905 by the Hon'ble Babu Bhupendra Nath Basu. Thereupon for more than two years it was fully considered and discussed. Great efforts were made by the Government of Sir Andrew Fraser to ascertain the trend of public opinion in regard to it. The opinions of all important public bodies were obtained, and almost every gentleman who was interested in, or acquainted with, the subject was invited to express his views. The result was that the educational experts for the most part were found to be in favour of the removal of the college to some other site, and these had a considerable body of public opinion behind them. On the other hand, a great majority of the public bodies consulted were quite opposed to the transfer, and these also received no little independent public support. The final conclusion arrived at in 1907, after two years of careful consideration, was that the College should be retained on its present site. Now in a practical question like this there must be finality somewhere. It may be true that the removal of the college to an ideal site somewhere else would be the best solution of all; but if the best is not within our reach, we must be prepared to accept the second best, and to make this approximate as nearly to the best as we can. We have high authority for the view that even on its present site the Presidency college is capable of being improved and elevated so as to take its fitting place as the model college in the province; and I cannot agree to hang up those improvements, which have been so long demanded and are so urgently required, for an indefinite period on the mere chance that at some future time public opinion may have been educated so far as to insist on the removal of the college, and also be prepared to provide the necessary funds. I propose to accept the decision of 1907 as final, and to press on the requisite improvements, year by year, as funds are available in the budget. I trust that in this way we shall before long improve the college so greatly that the demand for its removal shall lie dormant for at least a generation; and though I am certainly not an educational expert, yet, as a practical man, I venture to believe that in this way we shall serve the cause of education better than by holding out for a counsel of perfection.

"A year ago, when winding up the debate on the budget for 1909-10, I took occasion to remind the then Council that, under the new conditions on which we were about to enter, it would be neither necessary nor permissible for the discussions in future years to cover the same wide range of ground as had been customary in the past. These anticipations have been realized to an appreciable extent, and I think that an impartial observer would acknowledge that a genuine effort has been made by Hon'ble Members to confine their remarks more closely to the budget than has been the practice in the past. At the same time, it must be admitted that a good deal still remains to be done in this direction. It may be that the chains of habit were too strong to be broken

and discarded at the first attempt: and perhaps it was asking too much to expect that so complete a revolution of past practice should be achieved within the limits of a single session. Those of us who have attended or studied the recent discussions in the Council of His Excellency the Viceroy will have noticed similar characteristics in the proceedings of that body. I have, therefore, refrained from enforcing the rules of relevancy with the strictness which might have been justified. This concession, however, must not be drawn into a precedent. A reasonable degree of leniency in interpretation may be defensible on the first occasion on which the Council has been called upon to discharge its duties under the new conditions, but no similar justification can fairly be pleaded a second time. When, therefore, a year hence, the time comes round for us to consider the budget for the following year, I venture to hope that all Hon'ble Members will bear in mind the regulations by which the discussions purport to be governed; and if they will co-operate with us in carrying them into effect, I am confident that the debate will lose nothing in public interest or practical utility."

The Council was then adjourned to Monday the 4th April, 1910.

F. G. WIGLEY,

Secretary to the Bengal Legislative Council.

CALCUTTA,

The 15th April, 1910.

B. S. Press—21-4-1910—22J—400—W. M. D'C. and others.

Abstract of the Proceedings of the Bengal Legislative Council, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Monday, the 4th April, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President*.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble SIR CHARLES ALLEN, KT.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. E. P. CHAPMAN.

The Hon'ble MR. G. W. KUCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

[*Maulvi Saiyid Muhammad Fakr-ud-din.*]

The Hon'ble BABU BHUPENDRA NATH BASU.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH.

The Hon'ble BABU KIRTANAND SINHA.

The Hon'ble BABU RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GHULAM HUSAIN KASIM ARIF.

The Hon'ble DR. ABDULLAH-UL-MAMUN SAHRAWARDY.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble MR. MADHU SUDAN DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

QUESTIONS AND ANSWERS.

CIVIL SURGEONCIES IN BENGAL.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

(*a*) Has the attention of the Government of Bengal been drawn to the reply given by the Hon'ble Sir Harvey Adamson to the question put in the Imperial Council on the 18th March, 1910, about the Civil Surgeoncies in Bengal, wherein he said that up till now out of the four appointments allotted to this province, only one has been filled by the appointment of a Civil Assistant Surgeon?

[*Mr. Wheeler*; *Mr. Duke.*]

(*b*) Will the Government be pleased to state if they intend to fill up the remaining three posts by appointing Civil Assistant Surgeons at an early date?

(*c*) If so, in what districts are such appointments likely to be made?

The Hon'ble MR. WHEELER replied :—

(*a*) "In the course of an answer to a question in the Imperial Council it is the case that Sir Harvey Adamson recently remarked that in Bengal one Civil Assistant Surgeon held substantively an appointment as Civil Surgeon of a district, while four such appointments had been allotted to Bengal, subsequent to the Partition, for transfer to Civil Assistant Surgeons."

(*b*) "As was also explained by Sir Harvey Adamson, and as was stated in this Council by the Hon'ble Mr. Shirres in answer to a question on the 25th March, 1905, the transfer of all four appointments to Civil Assistant Surgeons is contingent upon the retirement of officers in the Uncovenanted Medical Service. As a matter of fact, at the present moment, in addition to the Civil Assistant Surgeon who is Civil Surgeon at Jessore, the Civil Surgeoncies of Khulna and Palamau are temporarily held by officers of that Service."

(*c*) "Government is not now prepared to state when the four appointments will be permanently transferred to Civil Assistant Surgeons or what districts will be thus allotted."

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1910.

The Hon'ble Mr. Duke moved that the Report of the Select Committee on the Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, be taken into consideration.

He said :—Sir,—"It is now more than eight months since I introduced this Bill in Council, and the subject has been kept continuously before the Council and the public during that period. As the present Council is very different in composition to that in which the Bill was first introduced, I may be excused for recapitulating something of what I have said regarding it on previous occasions, but I propose to do so only in the briefest possible manner. The prime reason for the introduction of the Bill was that since the original Acts were passed 44 years ago the conditions of administration had become greatly more complex. The Acts had been amended from time to time to meet the changed conditions, but the attention of Government had again been drawn to many matters in which they appeared still to be defective. They referred in fact to a state of things very different to that now existing, they failed to provide for modern development both in larger matters and as regards the inclusion of new facts of the same classes as were dealt with originally. Government considered that the City of Bombay Police Act which was passed in 1902 afforded a suitable model in the matters in which a change was desired. Amongst changes of definition, I referred to one to provide for new explosives of which there are so many, while 44 years ago gunpowder was the only one dealt with. New kinds of places of amusement and new kinds of vehicular traffic had also to be considered. Provision was made to prevent Police-officers from engaging in trade or other private occupation, clauses were framed to deal with the habitual petty pilfering of unidentifiable goods which is so great a nuisance to the commercial community. I drew attention particularly to clause 14 (*now* 16),* which gave more precise power in dealing with assemblies and processions, with the control of persons who carry passengers' baggage in the neighbourhood of the docks, with illuminations, the lighting of vehicles and the carrying of unwieldy articles which interfered with traffic, all of them matters which have become important owing to the increase of business and

* The clauses and sub-clauses of the Bill having been re-numbered under the direction of the Council, the present number of each clause and sub-clause is inserted in brackets, wherever the new numbering differs from the old.

traffic in the city. I referred to clauses 18, 19 and 20 (*now* 23, 24, 25), which substituted the provisions of the Bombay Act as regards arrests. These, on the one hand, make the law more precise and somewhat widen the powers of the police, but on the other, protect the public by requiring due warning to be given and legalise the practice of allowing an offender in certain cases to proceed voluntarily to the police-station instead of in custody. Other provisions referred to were those for the recovery of persons believed to be unlawfully confined, for increased facility in arranging for search warrants between Police-officers in Calcutta and those in the districts, and for dealing with unclaimed property with a view to protecting petty intestate estates from plunder.

"The Bill was subjected to a great deal of criticism based principally on the fact that in various particulars it increased the powers of the police. It was observed that I had made very little allusion to this fact when introducing the Bill, but I must point out that although I laid more stress on the necessity of precisely defining the powers of the police than on increasing them, yet the subject was sufficiently clearly indicated in what was said about clause 14 (*now* 16), and I am perfectly prepared to maintain the position that at the present time and under modern conditions increased powers are necessary for dealing with all kinds of public assemblies and processions in the streets and open spaces of a great city. It was argued that the analogy between Bombay and Calcutta was not a fair one, that the Bombay districts are much more criminal than those of Bengal, and that the Bombay Act was originally framed to suit the Bombay districts and from thence imported into the city. It was, however, easy to show that the two cities are comparable in size and population; in both there are great numbers of aliens of all classes from far distant parts of the country. The volume of crime in both is similar. No evidence had or up to now has been produced that the Bombay Act does not work efficiently, and, furthermore, it is to be remembered that we are not introducing the Bombay Act as a whole, but only a comparatively few provisions from it which upon careful examination have proved most suitable to existing conditions in Calcutta. It was, however, apparent when the Bill came on for consideration in August last that there was a very prevalent feeling that sufficient opportunity had not been given for public criticism, and that the public bodies which have been consulted had not had sufficient time to form matured opinions. Especially, it appeared to be desired that the opinion of the High Court should be obtained upon the Bill. The Bill was accordingly recommitted to the Select Committee, and further opinions were asked for from various public bodies and the High Court. Shortly afterwards the new Council was constituted and a new Select Committee formed, but we were unable to proceed with the consideration of the Bill until we had the opinions which we desired, and of these, that of the High Court was the last to arrive. It is therefore only at the end of the session that we find ourselves able to take the Bill into consideration.

"I regret that, although the Bill has been very fully discussed in Select Committee, and I think it will be admitted, with patience and a mutual desire to understand and, if possible, reconcile opposing points of view, the report is still accompanied by notes of dissent. It will appear that a considerable number of alterations have been made in Select Committee, and while some of these have been made with general consent, and have upon the whole had the effect of strengthening the Bill, there are other matters in which changes have been made with a desire to soften provisions which appear too stringent, but regarding which the dissenting members remain unsatisfied. I refer particularly to clause 14 (*now* 16), which both Select Committees have successively modified so as to reduce the possibility of interference with private rights, for example, by restricting the control of illuminations to such as are immediately over or abutting on the public streets. It would, I think, be no unreasonable interference with private rights that the Chief Police-officer of the city should be able to make rules regarding all kinds of illuminations, for all illuminations have their dangers, and I fancy that in most of the capitals of the world he would have such power, but it was obvious that there was a strong feeling against such regulations except for the

immediate protection of persons using the streets, and we readily consented to limit the provision accordingly.

"I do not complain of the notes of dissent. It is natural that questions of principle should be regarded from different points of view, and that when there are very important and interesting questions involved, members should state their views in notes of dissent. But I should rather complain, if at all, of the amendments before the Council as a whole, because I think they indicate the negation of the whole position that materially increased control is necessary for the efficient management of the city. I think that if the whole of these amendments were given effect to, not only would the present Bill amount to nothing but the administration of the police in Calcutta would be considerably weaker than it is at present.

"So, too, in section A in clause 14 (*now* 16) we have restricted any interference with music or noise to the actual streets, and have left the public free to make such noise as they please even in public buildings and their compounds without interference from the police. Upon the important question of the control of public meetings and processions we have been unable to agree, and I do not suppose that we could have arrived at any agreement which involved any degree of increased control whatever. Yet it seems to me that at the present time there is the strongest necessity, in the interests of the public peace and safety, for strict and efficient police administration in this respect. There should, at any rate, be no uncertainty, and the Chief Police-officer of the city should be able to act confidently and decisively whenever the peace of the city is threatened, while his subordinates should be guided by definite rules and orders framed by him to provide for all emergencies which can be forecasted.

"The opinions which we received in the second stage did not carry us much further.

"The High Court, as was to be expected, for it is in accordance with their usual practice, declined to give any opinion on questions of administrative policy and therefore limited themselves to very few remarks. But one of these raised the question of the legal sanction for the introduction of clause 23[1] which proposed to regulate the conditions in which suits or charges could be brought against Police-officers for acts done in execution of their duty. We have found that there is strong feeling against the introduction of this clause based upon the idea that the definition of 'good faith,' which does not penalise simple negligence, would afford an undue measure of protection to Police-officers. The Commissioner of Police has admitted that under the existing law he is not able to instance any want of efficient protection for his subordinates, and from the Government point of view the question was rather one of form than of essentials. Accordingly, the clause has been dropped, and it might have been hoped that the controversy as to whether it possessed the necessary sanction would drop with it, but I observe that the Hon'ble Babu Deba Prasad Sarbadhikari has embodied the greater part of his erudite argument on this subject in a note of dissent. If I rightly understand this note, the other main point of principle which it raises is that the sanction of the Government of India is required to be stated in the recital in the preamble of the Bill, because penal clauses are included which may affect the Penal Code. On this point I can only say that the Government of India are the guardians of their own prerogatives. The Bill has been submitted to them and previous sanction has been obtained to the penal clauses. We have reason to believe that they have carefully examined the whole subject, and it is not for us to suggest deficiency in their sanction. The Hon'ble Mr. Apcar has also in a note of dissent drawn attention to the archaic language of the existing section 99 of the Calcutta Police Act. His views on this subject are very much those of the framers of the Bill, but since the amending section proposed was not acceptable and has been dropped, the clause which has served for the last 44 years must continue to do duty, although its language is out of date. I will refer briefly to the more important of the remaining points upon which there have been differences of opinion. The first regards the necessity of excluding from the

[1] See proposed clause 23 in Bill, as introduced in Council on the 13th July, 1909.

definition of 'places of public amusement', places where money may be collected for *bonâ fide* religious purposes. It is far from the intention of the Bill to propose that there should be interference in any place where a *bonâ fide* religious service or ceremony is going on, and it seems that some degree of imagination must be necessary to bring such a place within the definition of 'place of public amusement', which to quote the definition is a place where music, singing, dancing, or any diversion or game is provided and to which the public are admitted, either on payment of money or with the intention that money may be collected. It has been sought to show that certain religious or quasi-religious performances might be held to come under this definition. No one is likely to want to bring them under it, but if we are asked expressly to provide that when such proceedings are being carried on for a *bonâ fide* religious purpose, all jurisdiction shall be ousted, we are unable to agree, because of the extreme difficulty of deciding what is a *bonâ fide* religious purpose in a country where religion enters into so many departments of life. It is therefore impossible to say that whenever religion is imported all police jurisdiction goes out: no police law could possibly be worked on such principles. It is in fact very easy to understand how the plea of religion might be raised to oust the jurisdiction of the police in cases of every conceivable description. Objection has also been taken to the inclusion of places where only food and non-intoxicating drink are sold amongst places of public entertainment, but such are unquestionably places of public entertainment, and the need for control depends not on what is sold in them, but on the number and class of persons who frequent them, and the manner in which they are conducted.

"There are other matters which will doubtless come up and be moved as amendments if Hon'ble Members consider that they have sufficient importance, which I need hardly refer to here.

"I will notice at this stage the objection which is taken to the moderate penalties provided. There are a large number of amendments to be found on the agenda paper which are moved with the object of reducing penalties. The maximum penalty fixed is in no case very high, but of course it is enormously higher than the average penalty, which would be imposed in an ordinary case. I cannot understand the attitude of mind which objects to the provision of a penalty sufficient for an extreme case. The principle runs through all penal legislation. In the Penal Code, for instance, the offence under section 352, that of a common assault, may be visited with a penalty of Rs. 500 fine or three months' imprisonment, but as Hon'ble Members are well aware, thousands of offences under this section are tried every year, and in the vast majority a fine of not more than Rs. 5 is inflicted. The Magistrates work with the discretion which might be expected of them, and why should it be supposed that the Presidency Magistrates in Calcutta will not exercise the same discretion? Suspicion of the police is common enough, but surely this question of penalties is not a question of suspicion of the police, but of suspicion of the magistracy. The police may prosecute, but the Magistrate fixes the penalty. Offences, however trifling, may require a comparatively severe penalty, if they are committed by very wealthy persons to whom a small fine is of no consequence, or if they are repeated in circumstances of great perversity or obstinacy.

"The question of searches has been carefully gone into and put on a much more precise and definite footing than before, and although we have not agreed upon all points, we at any rate now propose a law of search for Calcutta which is much more in accordance with the general law of the country. As I have mentioned, the clause of the Bombay law which regulates suits against the police has been dropped. We have now very elaborate clauses which impose penalties on the police for wilful dereliction of duty. They are new here and they form extremely strong provisions. It is only fitting that, when so much has been done to improve the personnel and condition of the police in Calcutta, a higher standard of conduct should be imposed upon them, and we think that we can now fairly demand from them a standard which perhaps

a few years ago we should have been doubtful of obtaining. There is one final point in the Bill to which I am glad to be able to refer as one on which there has not been any contention. That is the provision for confining beggars convicted under section 70 of the Calcutta Act in a notified refuge instead of in a jail.[1] The question of beggars has been a burning one for some time. The law provides sufficiently drastic means so far as the law can do, but the humanity of the Magistrates makes it difficult for them to impose sentences of imprisonment on unfortunate creatures suffering from loathesome diseases or deformities and quite unable to help themselves, and if such persons are sent to jails they are a nuisance and a danger there and an obstruction to the administration. We have accordingly introduced a clause to make it possible for Magistrates to order the detention of such persons in the refuge instead of in a jail. One refuge established by Mr. A. M. Biswas has already been in existence for some years. It may be that others will spring up in course of time. At any rate, it is an alleviation of the law that the detention may take place in such an institution instead of in jail. The Government of India have assisted us in this matter by readily according their sanction, although the subject was brought up at the very last moment."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"As a member of the old Select Committee, who had no previous opportunity of expressing gratitude for the action that Your Honour was pleased to take with regard to the Bill, I desire to say a few words. The thanks of that Select Committee and of the public at large are pre-eminently due for Your Honour's considerate postponement of the measure which has made deliberate consideration and criticism possible. Your Honour's action has been completely justified by the event, for the Bill has much improved during the last few months, as is borne out by the Report now before the Council. Foremost of these improvements is the abandonment of clause 23,[2] which, it was apprehended, would affect the jurisdiction of the High Court in damage cases against offending Police officials and would give them inordinate immunity under the protection of 'good faith' in its laxer and more objectionable sense. Round this clause considerable criticism naturally gathered, and this truly large concession to public opinion is announced by the Hon'ble Member in charge with characteristic modesty and moderation beyond which I would like to go for obvious reasons. We have otherwise gained much from the postponement, as will appear from the Report and the several dissents; and considering the way that both Official and Non-official Members approached the consideration of the outstanding matters in Select Committee, I am not without hopes that some more improvement will be possible in Council to-day. Some of these were matters of principle that could not be dealt with in Select Committee, however sympathetically the Official Members might be inclined, and could be dealt with by the Council and the Government.

"I shall not attempt to anticipate the amendments on the agenda, but must make a passing reference to the important question of principle involved in the absence of the previous sanction of the Governor General in Council recited in the preamble. The objections that have struck me are detailed in my Note of Dissent, and I shall not repeat them. And as no amendments are possible under this head, I can but make a general reference, and the rest is for the Government and its Law Officers to consider and advise upon. To those whose answers to these objections are shortly of the *factum valet* type, my reply would be of the *lis pendens* order. Because some enactments have been passed in contravention of recognised principles and established rules, and because on other occasions corrective validation was authorised seems to me to be little justification for not correcting an error, presuming it to be an error, if it is detected early. Nor does the plea appear to be weighty that the power and usefulness of local Legislatures that have been slowly, though unwarrantably, earned and increased ought not to be circumscribed by constant interference of the Supreme Government, which has been somewhat indulgent of an occasion. I have tried to be full and fair in my statement of the case and have furnished facts and arguments not ordinarily accessible, even though

they could be capable of being used against me. I am, therefore, not a little concerned that the Hon'ble Member in charge of the Bill should have thought fit to make a caustic allusion to my note. Nothing could be further from my idea and desire than to bring my facts and arguments 'merely to notice', by which is probably meant 'to notoriety', if they had no bearing on and relevancy to the occasion. I have sufficient other opportunities of bringing my facts and arguments 'to notice', and if I had to choose this particular way it was because I thought that this would be the best. The omission of the clause affecting the High Court does not relieve the whole situation, and, so far as that particular aspect of the case is concerned, I scored out the whole of the facts, arguments and authorities bearing on the question, from my original draft. My hon'ble friend has only to refer to the Secretary, and he will find that this is so. Having regard to the regrettable practice of calling upon dissenting Members to produce their Notes of Dissent within as many hours as the Official Members take days, or probably weeks, to draw up their Reports, I prepared my draft in advance before the abandonment of clause 23[1] was announced, and I immediately omitted all redundant matters. What is now left is, I believe, necessary and relevant because of the penal clauses, and there is no warrant or occasion for my hon'ble friend's reflections on my note. There it stands for what it is worth, and it is for the Government to consider and decide the matter. That my position is not wholly untenable is apparent from the cautious and significant language used by the High Court, which confirms me in my doubt as do many of my eminent lawyer friends who have done me the honour of reading my note and who have not taken the same view of it that the Chief Secretary has thought fit to do. The High Court advised a reference to the Law Officers of Government as Sir Henry Maine did many years ago, and we do not know what their advice and opinion are. In the absence of their formal expression of views and opinions, it is my duty to draw the attention of the Council to these doubts and difficulties.

"There are one or two misapprehensions regarding the Bill and its progress through the Committee stages which ought to be removed. These were dealt with in a note that I submitted to the old Select Committee after the postponement in August last, and I would, with Your Honour's permission, read an extract from it, as the note is not and will not be before the Members of the Council or the public, except in so far as I have embodied it in my present dissent:—

'There is an impression abroad that the dissenting members of the Select Committee are alone responsible for representation of non-official views and opinions, which resulted in such of the improvements in the Bill as were made in Committee. The Hon'ble the Maharajadhiraja of Burdwan, who would be the last to attempt to remove such an impression, took quite as keen and active an interest in the details of the Bill as any of us, and to his initiative and insistence are due some of the best changes. We owe it to him, as much as to ourselves, to own this. There is an equally unfounded impression that the safeguards of the Bombay Acts now incorporated in the Bill had to be wrung out of an unwilling Government. The fact is quite the other way, for the omission had only to be brought to the notice of His Honour the President to be rectified. This was done in quite an informal and unofficial way, long before any complaints or comments in the Press, and even before the provisions were considered by the Select Committee. His Honour readily approved of the inclusion of the omitted provisions, which was communicated to the Select Committee, and their acquiescence was also as ready.'

"In the absence of the other dissenting Member of the previous occasion—Babu Radha Charan Pal, whom we much miss, it is my duty to disclaim credit on his and my own behalf for what was then attained on the Select Committee. The improvements such as they are are due alike to official and non-official exertions, and above all to Your Honour's sympathetic treatment of the suggestions made from time to time so far as Your Honour saw your way to adopt them; there was no waste of time in discussing matters in Committee regarding which there was a consistent agreement to disagree from

[1] See proposed clause 23 in Bill, as introduced in Council on the 13th July, 1909.

the beginning, and these are matters that the Council will now be invited to consider. From our official colleagues we had nothing but courtesy and consideration throughout, for which Non-official Members are grateful. I should have thought that my hon'ble friend on his own part would have acknowledged the spirit in which Non-official Members worked on the Select Committee, but instead we have severe references to our notes and the amendments which my hon'ble friend has sought to anticipate.

"There is one other erroneous impression that ought to be removed. The Bill is not an emergency measure occasioned by the exigencies of the time, but was in fact in draft long before they arose. They affect the every-day life of the average citizen, special exigencies being naturally left to emergent measures that have been or may be provided from time to time. It will therefore behove this Council further to soften down the rigours and irregularities that the Select Committee has not coped with or has not been able to cope with."

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said:—

"Your Honour,—The Hon'ble Babu Deba Prasad Sarbadhikari has taken objection to the Bill not having received the previous sanction of the Governor General in Council. This matter has been dealt with by the highest Judicature in the land, which has remarked: 'This is a matter of considerable importance, but has no doubt been settled by the Local Government by reference to the Advocate-General and its Law officers'. Besides, when the learned Advocate-General has been consulted by the Local Government and when the local Legislative Council has a member in an equally capable Standing Counsel, I do not see why any reference should have been made by my hon'ble colleague to the fact that the Advocate-General is not a member of our Council or that the Bill has not received the administrative sanction of the Governor-General in Council. Then again the Hon'ble Member seems to be labouring under a misconception when he says in his Note of Dissent: 'A question that the High Court considers is of considerable importance can hardly be dismissed as merely technical'. In my mind, the High Court has expressed its satisfaction with the procedure taken by the Local Government by observing 'but has no doubt been settled by the Local Government by reference to the Advocate-General and its other local officers." The Hon'ble Member has made a quotation from the writings of Sir Henry Maine with a view to strengthen his position. The quotation is as follows:—'When a question of convenience arises and when a legislative question like this has reached its proper stage, the joint opinion should be asked from the Advocate-General and the Standing Counsel.' Here I may say that the action of the Local Government in this connection is quite in conformity with the opinion expressed by Sir Henry Maine, in that it had referred the matter to the Advocate-General and its Law Officers and has the Standing Counsel as a member of its Legislative Council to express an opinion on the Bill in question. Then my hon'ble friend has proceeded to question the legality of the power of this Council and has cited the names of some of the most distinguished men to support his contention, but I fail to see how my hon'ble colleague can maintain his position in the face of the opinion already expressed by the High Court concerning the legality of the measure.

"With the permission of the President and the Council I beg to read the following extract from the note by the Hon'ble Maulvi Saiyid Zahir-ud-din:—

> 'I have studied carefully the literature of the Police Bill in its different stages, but have not been able to discover in it, as re-amended by the re-constituted Select Committee, anything objectionable from the point of view of a police statute, having regard to public policy and the urgency of maintenance of public tranquility under the present exigencies of the times.

'The essence of the Pax Britannica consists mainly in the maintenance of the interests and safety of the British Empire.

'Section 47 of the East India Company Act, 1793 (33 Geo. III, C. 52) empowered the 'Supreme Council at Fort William and the Councils at Fort St. George and Bombay to take measures for the interests of the Company or the safety or tranquility of the British possessions in India or any part thereof.' It has been the duty and policy of the Indian Legislatures to enact laws for the aforesaid purposes. The tendencies of the times led to the passing, from time to time, of such laws, as Regulation X of 1804 (State offences and Courts-martial), Regulation III of 1818 (State prisoners) and Act XI of 1857 (Trial of State-offences); and the series of recent events have necessitated the enactment of the Seditious Meetings Act, 1908, the Newspapers (Incitements to Offences) Act, 1908, and the Indian Press Act, 1910 (I of 1910).

'The Calcutta and Suburban Police Acts have been on the Statute Book for the last forty-four years, and times having changed, the present crisis calls for their amendment and improvement by taking more stringent measures for combating with the present conditions, and preventing lawlessness, prevention being better than cure.

'The new clauses introduced into the Bill are more or less in conformity with the provisions of Police Enactments in force in Northern India (The Police Act V of 1861), and in the Presidencies of Madras and Bombay, and which are not said to have caused inconvenience or hardship to the public, and which work smoothly in the Provinces in which they are in force. It is feared that the abuse of some of the provisions of the proposed enactment by police officers might, generally or in individual cases, lead to oppression or inconvenience. This is true. Whenever a power is given, there is always an apprehension of abuse. The finality of decrees of Courts of Small Causes and of certain sentences passed by Magistrates of the first class is fraught with fear of miscarriage of justice; but in spite of the admitted possibility of danger in individual cases, these powers must be conferred on grounds of public policy and administrative and judicial convenience.

'That regard be had to the public welfare is the highest law (*Salus populi suprema lex*). There is an implied assent on the part of every member of society that his own individual welfare shall, in cases of necessity, yield to that of the community, and his property, liberty and life shall, under certain circumstances, be placed in jeopardy or even sacrificed for the public good. Likewise, in less stringent emergencies, the maxim is that a private mischief shall be endured rather than a public inconvenience (Blackstone's Commentaries, pages 138 and 139).

'The Hon'ble Babu Deba Prasad Sarbadhikari has in his learned Note of Dissent taken exception to the Bill, as amended by the Re-constituted Select Committee, that the provisions thereof tend to alter in some way the Indian Penal Code. As a matter of fact the Indian Penal Code is, in no way altered. The Indian Penal Code (Act XLV of 1860), is according to the preamble a general Penal Code for British India, which does not affect any special or local law (section 5), as defined in sections 41 and 42 thereof. The Indian Penal Code is the general substantive criminal law, defining offences generally

and providing punishments for them. The Criminal Procedure Code and the Police Acts, which are adjective laws, prescribing the procedure for bringing offenders to justice and for preventing the commission of offences, are not laws altering the general substantive criminal law, theIndian Penal Code. The Police Acts are not penal statutes. They only prescribe measures for preserving the public peace and for preventing wrongs to persons or property. With a view to achieve those ends, they, in certain cases, however, prescribe light penalties forcertain acts or omissions which are neither directly provided for nor contemplated by the general penal law, the Indian Penal Code. Section 5 of the Indian Penal Code does not affect special or local laws, containing penal provisions such as the Police and Municipal Acts, the Railways, the Canals and the Ferries Acts. The Police Bill does not directly or indirectly repeal, vary or affect the Indian Penal Code, and no sanction of the Governor-General in Council is required under the Indian Councils Act, 1861. The object of the Police Bill is to amend the Calcutta Police and the Suburban Police Acts, passed by the Bengal Legislative Council, and not to amend the Indian Penal Code. A legislative authority that has power to pass a law has the power to repeal or amend it. The power to make a law includes the power to amend the law."

The Hon'ble Mr. Saiyid Ali Imam said:—

"Your Honour,—In regard to the question of the constitution of this Council and its authority to pass this Bill, I had not intended to say anything, inasmuch as I understood that the main ground of objection had been taken away by the announcement that the Local Government before adopting this Bill had obtained the sanction of the Viceroy. I propose to put before Hon'ble Members one or two matters in connection with the objection that has been taken even after the announcement made by the Member in charge of this Bill. I was not the Law Officer who was consulted in regard to this question, inasmuch as, at that time I had not accepted the office that I hold at present, but if I were asked now to give my opinion on this question as to whether this legislation aims at altering the Indian Penal Code directly or constructively, I should without hesitation give the opinion that this is no alteration of the Indian Penal Code one way or the other. My ground for urging my argument is that whereas the alteration of the Indian Penal Code would involve, as it were, the taking away of the jurisdiction of the Courts here in Calcutta in regard to the exercise of their powers under the Penal Code, if there were any such alteration, but the Bill does not aim at any such thing at all. It in no way affects the jurisdiction of the Courts in regard to the application of the provisions of the Indian Penal Code. What it aims at is that it gives further powers to the police without in any way taking away from the Courts the authority they have under the Penal Code, and it will be entirely a question of choice whether the one law or the other is applied to particular cases, and it seems to me that, to quote the words of the Hon'ble Member in charge of the Bill, it is desirable that such an Act were passed for the town of Calcutta. I fail to see how this Act could be looked upon as an Act which altered the Penal Code. I may submit that is the view I hold—and in that view I am supported by the Minute of Sir Henry Maine who, after giving the subject every possible consideration, urges that only such Bills as have for their main object and direct purpose the alteration of the Penal Code would be looked upon as those that were not allowed to be passed by a Provincial Council. What does the present Bill aim at? Does it apply to the whole of the Province? It applies only to limited areas, and as such in its main object and purpose it is in no way an alteration of the Indian Penal Code. Therefore, so far as that goes, it may be urged that

the Law Officers who gave their opinion on this part of the case were in very good company when they were supported by such a high authority as the authority of Sir Henry Maine. I may also point out in this connection that there is some misconception as to the authority that the local Council have in regard to legislative matters which may in a way affect Acts of Parliament. This matter is concluded by authority. When we go to the authority cited in the Indian Law Reports, Volume VIII, Bombay Series, we find that a learned Judge there in a connected matter gave his opinion as to how the Local Council can take upon themselves the jurisdiction and the right to promulgate laws that may not affect the jurisdiction, for instance, of the High Courts, but would affect the rights, the obligations, and, in some cases, the liabilities of the subject. Now, we find a very clear pronouncement of this position in the judgment of Justice West, when he tells us: 'The jurisdiction of the High Courts rests on the Statutes 23 and 24, Vic., c. 101, and the Letters Patent issued under that Statute. The legislative power of the Local Government rests on 23 and 24 Vic., c. 67, sections 42 and 43.' The learned Judge further says:—

'But, then, it is to be remembered that this restriction of the one authority by the other relates only to matters of jurisdiction, that is, of the exercise of the judicial function and matters ancillary to this. Granting the existence of any particular law, the mode in which it is to be interpreted, the jural relations it creates, the duties it imposes, and the way in which these are to be enforced—all such questions have to be determined by the High Court, and any attempt by the Local Legislature to control it in the exercise of these functions would be simply abortive. But a different proposition is stated when it is said that because in a given state of the law this Court may establish particular relations and issue particular commands which must be obeyed, that state of the law cannot be altered because the range of operation of the Court's powers will be altered at the same time. Such a construction of the Statutes, as pointed out in the case of *Premshankar Raghunathji* versus *The Government of Bombay*[1] would make legislation by the Local Government virtually impossible. It is plain on reflection that jurisdiction relates to authority in ascertaining and giving effect to the law as it is; and as the substantive law changes while the jurisdictional power remains constant, the actual result must be variable. Thus legislation on the rights and obligations of its subjects by the Bombay Government in no way necessarily infringes on the authority of the High Court unless the powers of the latter in dealing with the law when made are in some way affected.'

"Now, that is a considerable authority, and I am not aware that this has been overruled. Similarly, I see that in the present instance, when we are dealing with this Bill, what we have got before our eyes is this. Does this Bill have for its purpose an alteration of the Indian Penal Code? Will the passing of this Bill take away from the Courts the jurisdiction they have in regard to the trial of cases falling under the Penal Code? If this Bill has got no such provisions, I submit to the Council and to the Hon'ble Members present that this is no attempt either constructively or directly to alter the Indian Penal Code, and as such on that point I may without hesitation give my opinion that there is no apprehension nor can any apprehension be entertained as to any attempt towards the alteration of the Indian Penal Code. Furthermore, apart from the points of reasoning, apparent from the authority that I have just quoted, I am further fortified in my submission by the obvious position that the Bill deals with matters that are limited to certain areas. I contend that it would be inconceivable that a Bill like this be not permitted to be taken up by a Local Council, inasmuch as this is the intention that there should be first of all the sanction of the Imperial Government obtained. If there is any force in this, it comes to this that local requirements, local needs and conditions would be presumed to be known more by the Imperial Government than by the Local Council, which is obviously unacceptable. It seems to me that, on the ground of general convenience, no other course is open to the Council except the one that I have submitted. So far as the question in relation to the legal aspect of the case goes, I can say without any difficulty or hesitation that we may stand together on the opinion given by Sir Henry Maine, and this opinion, I submit, receives great support from the authority that I have ventured to quote before the Council.

[1] 8 Bom. H. C. Rep., A. C. J., 195.

"Then in regard to some general observations that have been made as to the so-called rigour of the clause that give the police an overwhelming amount of authority, I would draw the attention of the Hon'ble Members and specially those who come from the mufassal that the condition of life in Calcutta is wholly different from the condition of life in the mufassal. I venture to submit that the experience I have had, although very short of Calcutta conditions—the trial of cases in the High Court Criminal sessions, the attitude of mind of the Calcutta jury and complexity of the condition of life—leads me to the conviction that the state of affairs in a large town like Calcutta is wholly different and must be differently dealt with from the state that prevails all over the rest of the country. I find for instance that whereas the law, say the Indian Penal Code, in regard to criminal trespass may have a very good safeguard in it, and that is that the prosecution that has to prove in the mufassal that there was not only a civil trespass but that there are other elements of crime prevent. If the Council is prepared to put a stop to the crimes that are prevalent here, the Council will have to take into considerations the peculiar condition, and in view of that we have got to arm the police with authority. In these circumstances, both on the ground of the failure of the technical question raised by my learned friend the Hon'ble Babu Deba Prasad Sarbadhikari and also upon the general utility of the policy of the Bill, I beg to support the Hon'ble Member in charge of the Bill."

The Hon'ble Babu Bhupendra Nath Basu said :—

"I intend to make at the present stage only a few general observations on the scope of this Bill. I must say that our thanks are due to the Official Members of the Select Committee, who listened with attention to the representations that we had to make on behalf of the public in the Select Committee, and, as a result of their consideration of the points that we had raised, we have got before us a measure which has lost much of the original characteristics which evoked such strong opposition from the public and the Press. I shall not go into the questions to which the learned Standing Counsel referred in such eloquent and impressive language, for when the time comes we shall take up the consideration of those matters, and I hope I shall be able to satisfy the Council that there are men in this Council who can profess to have a longer experience of Calcutta than the learned Standing Counsel, and I venture to say, that notwithstanding his experience, much of the rigour that is sought to be introduced by the Bill may safely be done away with. But apart from that, Sir, the question is—is the Bill intended to meet with a specific set of circumstances or is it going to be an enactment for the guidance of the police and for the protection of the people for a considerable time at least? If it is a temporary measure intended to deal with a given set of circumstances which had temporarily arisen, I do not suppose that any one of us here would oppose the Bill. But what I feel, and those whom I venture to represent in this Council do feel, is that the Bill is going to be of a permanent nature, and it affects popular rights and privileges in a way which ought not to be allowed if possible, or if we can avoid them. I know, Sir, from personal experience in the past that it would be difficult and a hard struggle for me to resist what we conceive to be an invasion on popular rights. But I do think that the matters which I shall place before the Council will receive due consideration, and, if possible, the severity of some of the provisions may be, to some extent, mitigated, if not altogether removed. In that view I have been encouraged by the attitude which the Select Committee had taken and by the generous concession which Your Honour has made. The obnoxious provision of clause 23[1], which, notwithstanding all that has been said by the Hon'ble the Chief Secretary, practically rendered the police immune—immune it is—but it tried to make it more immune, that is, if it were possible to paint the lily or gild the gold. But the removal of that clause has considerably encouraged us in the belief that the Government does not want to introduce into the Bill any provisions which would unnecessarily place fetters upon public liberty or make it difficult

[1] See proposed clause 23 in Bill, as introduced in Council on the 13th July, 1909.

for the public to obtain redress against the high-handedness of the Police. Sir, I speak in the presence of my friend, the Commissioner of Police, and I say that in Calcutta there is no more dreaded individual than the Commissioner of Police. He is feared more, I am afraid, than the Autocrat of all the Russias, though he is esteemed and respected by all who have the high privilege of coming in personal contact with him. My friend, the Commissioner of Police, will admit that he does not require further powers than he has already for carrying on the duties of the great office entrusted to him.

"We have no complaint, Sir, as the public of Calcutta, against the Police that they are armed with insufficient power. Whenever protection has been necessary, we have found it; and we do not complain that the powers of the Police, are such that they should be strengthened for the protection of the public against acts of lawlessness or violence. I will not go into the details of the measure at the present stage. There are amendments to the Bill which will come up presently, and which will afford us an opportunity of examining the Bill in detail. There is one other matter to which I shall respectfully call the attention of the Council. It is the power of the Police to stop processions, to stop assemblies, to stop what are called harangues –it is, I am afraid, what I am delivering just now—to stop public speeches and above all to stop public meetings at the discretion of the Commissioner of Police. Sir, knowing the present Commissioner, as I have the honour of knowing him, I do not for a moment doubt that that discretion will be used with the greatest caution and with the least hardship to the public. But for the present I hope I shall be excused if I eliminate all personal considertions. Sir, on a late occasion, a great official had to go to Austria for an example of a piece of legislation to which some people had objected. I will do better and I will go to mediæval Spain in the reign of Phillip the Second, in support of my proposition that the best way to secure thrones and dynasties is to allow the public to have their say—to let them vapour forth, as Phillip the Second put it, their grievances in public. I am quite sure that there is no feeling in the 20th century any where that the expression of public opinion should in the least be suppressed. If that is so, I respectfully ask the Council—will it not be placing too much power and responsibility in the hands of one single individual who has to administer the criminal affairs of a large and populous city, the second in the Empire: is it not too much to expect that amidst the multifarious duties and worries of his office, he would be able to give careful attention to all the matters that may be reported to him and to decide on the spot as to whether a certain public meeting ought to be allowed or not? I say, Sir, with all respect, that great mistakes have been made in the past even by large bodies of men. Socrates, the great teacher of Plato, and from whom Aristotle derived his transcendent system of philosophy, was convicted as a heretic and as the corruptor of the youth of Athens. Much more than that, I would ask the attention of this Council to the scene on Calvary where He, whom half the world now adores as an Incarnation of God, was crucified by men who honestly believed that He was a heretic. Coming to more recent times we find that Joan of Arc was burnt at the stake. These are examples which are historic, but which, I am afraid, are much too solemn, much too great to be cited on an occasion like this. Your Honour will allow me to remind this Council that we have before us the question of the right of the subject against the encroachment of the executive and as that also is a subject of great solemnity and importance, I may refer to another instance. The greatest of the Roman Emperors, Marcus Aurelius, who, without being a Christian, has bequeathed to posterity a treatise which gives consolation and solace to thousands of men, Christian and non-Christian, was the greatest persecutor of Christianity in his days. Therefore, I say, Sir, that if we allow a single individual discretion to stop public meetings, public speeches, public assemblies, public processions, which may have something to do with the important political movements of the day, we invest him with very great powers indeed. And therefore I say that those powers ought to be very carefully guarded. In summarily stopping a public meeting, Your Honour sees that in the Bill, it is proposed to make the Commissioner of Police subject to the control of the Lieutenant Governor in the exercise of his power. In the case of a

public assembly, a meeting or a procession, it may be stopped at once by the issue of a notice which may be revoked and reversed by Your Honour afterwards. But in the meantime the mischief has been done, and even the most peaceful meeting may be stopped upon a misrepresentation of facts. Only the other day in our sister province a meeting for the elevation of the depressed classes was stopped, I am sure, owing to a misapprehention of facts—for I am convinced that no official would willingly stop a meeting which had for its object the elevation of the depressed classes. These are the dangers to which I beg to call Your Honour's attention. A great writer on Political Science, whose books are considered as a standard work of authority—Professor Sidgwick— says in one place that 'there may be occasions when it is necessary to put a check upon expressions of public opinion,' but he also says that 'there is an obvious risk that such powers may be abused and it is important that such powers should only be conferred on special grounds and exercised under careful limitations.' That is the deliberate opinion of men competent to deal with things like these. I do respectfully ask Your Honour,—Where are those checks? Where are those special grounds? Where are those limitations? The checks and the limitations will all come into force after the evil has been done, after the meeting has been suppressed. Therefore, Sir, I plead, that if you wish to stop public meetings—and I do not deny that there may be circumstances under which public meetings may be and ought to be stopped—I say provide us with safeguards, provide us with limitations. My friend the Standing Counsel has said that the condition of Calcutta is so different from any other city—and I am quite sure he will excuse me—so novel to him that he thinks anything is good or bad enough for us, the people of Calcutta. But I will take him to a city where the criminal population of many cities congregrate—I will take him to the great city of London and I say there the police have not got the powers which are sought to be placed in their hands by this Bill I quote from a book on the Metropolitan Police: 'the fear expressed and no doubt felt on the first establishment of a regular system of police that the holding of meetings and utterances would be suppressed has been dispelled. The police are expressly enjoined not to interfere unless specially ordered, and such orders are ot to be given unless disorder or breach of the peace is imminent.' I will not tire your patience by quoting further. I again appeal to my friend the Standing Counsel that if the London Police does not think it necessary to have, or are excluded from exercising, these powers, why should our police have these powers? Our police, I may remind my hon'ble friend, are not always in touch with those who hold political meetings or political demonstrations. Oftentimes there is a feeling, I will not say anything stronger than this, a feeling of suspicion against those who mix themselves up in public affairs and hold public meetings—a feeling of suspicion, a feeling that those people are not as good citizens as they might have been. These are considerations which I respectfully seek to place before the Council. Your Honour has always shown a ready alacrity to listen to public criticism and to give public criticism a fair and impartial consideration. I am quite sure that I have not overstated the case. I crave from Your Honour and from the Members of this Council a fair and impartial consideration of the question that I have raised. Let us not feel, Sir, that we are knocking against a dead wall. Let us rather feel that you sympathise with us and with our difficulties, that you wish to make the public life in Calcutta and the suburbs compatible with the growing political needs of the people, and that no unnecessary obstacles will be placed in the path of those who seek to ventilate public grievances—a course beneficial to the State and to those who live under the Government."

The Motion was then put and agreed to.

The Hon'ble Mr. Duke moved that the clauses of the Bill be considered in the form recommended by the Select Committee.

The Motion was put and agreed to.

Clause 3:—

first definitions.

The Hon'ble Rai Shiba Shankar Sahai Bahadur moved that for the words "and 'cognizable offence'", in line 3 of clause 3 of the Bill,the following be substituted, namely:—

'cognizable offence' and 'non-cognizable offence'.

He said:—"This paragraph in the Bill is borrowed from the Bombay Act (section 3*a*). Amongst other phrases, 'non-cognizable offence' has been omitted from our Bill, although it appears that this expression is used in the body of the Bill. [I beg to refer to clause 4A (*now* 5), amongst others.] It is necessary to insert 'non-cognizable offence' in this paragraph. This is only a formal amendment."

The Motion was put and agreed to.

definition of "Officer in charge of a police-station."

The Hon'ble Babu Bal Krishna Sahai moved that the words "above the rank of Head Constable" be substituted for the words "above the rank of constable", at the end of the definition of "Officer in charge of a police-station", in clause 3 of the Bill.

He said:—"In view of the fact that certain powers which were formerly not exercised by Police-officers are proposed to be given to them, I beg to submit, Sir, that it is safe to entrust these powers only to officers of higher rank of the Police force than ordinary constables. We know, Sir, that the powers exercised by Police-officers in charge of stations are multifarious, but at the same time powers should be given to such officers who are trained and epucated enough to exercise proper discretion. I think, therefore, that these powers should be given to Sub-Inspectors."

The Hon'ble MR. DUKE said:—

"I am unable, Sir, to accept the amendment. The question is as to what officer shall exercise the powers of the officer in charge of the police-station. It is the aim of Government that in Calcutta every police-station shall be in charge of an officer not inferior to a Sub-Inspector, and, as a matter of fact, there is at least one Sub-Inspector in charge of every station in the town and suburbs and very often there are two, but at the same time it is not possible to guarantee that the Sub-Inspector will always be present and in charge of a police-station for the moment. The powers referred to are those of the police-officer who is present at the station-house, and it is quite possible that both of them may be absent. It is essential that some one should exercise the powers for the time being, and therefore we found it necessary to retain the head-constable within the definition, and, for the reasons which I have explained, I regret I cannot accept the amendment".

The motion was then put and lost.

Clause 4:—

definition of "explosive substance."

The Hon'ble Rai Shiba Shankar Sahai Bahadur moved that after the words "explosive substance," in line 2 of the definition of "explosive substance," in clause 4 of the Bill, the following be inserted, namely:—

if there be reasonable grounds for believing that such materials are intended for making an explosive substance.

[*Rai Shiba Shankar Sahai Bahadur; Mr. Duke.*]

He said:—"According to this definition any ingredient of an explosive substance, such as charcoal, sulphur, nails, etc., would be an explosive substance.

"I beg to refer the Council to section 60 of the Calcutta Act and section 37 of the Suburban Act which authorise the Commissioner of Police to issue a warrant for the search of a house if he suspects that any explosive substance, is manufactured, sold or kept. In other words, we are reduced to this absurd position that mere possession of charcoal, or sulphur, even necessary for domestic use, will give the police jurisdiction to order house-search. This I presume could not be the intention of the Government or of the framers of the Bill.

"This definition of explosive substance is taken from Act VI of 1908 (Explosive Substances Act), and it is suggested that what is a good definition for the India Council Act ought to be good for our Act.

"I beg to point out, however, that the aim and effect of the two Acts are quite different. The Explosive Substances Act is a very short Act, which deals with cases where either (1) an explosion has been caused, or (2) an attempt has been made to cause explosion, or (3) an explosive substance is made or kept with intent to endanger human life, or (4) explosive substance is kept under such circumstances as to give rise to a reasonable suspicion that it is not kept for a lawful object. In these cases, therefore, the definition of explosive substance to include any ingredient of explosive substance, can not only cause no hardship but seems to be absolutely necessary. But, in the present Bill, the object is amongst others to give the police power to make a search, and if the definition includes any ingredient of explosive substance, it may cause hardship if not properly safeguarded.

"My amendment, if accepted, while it will not hamper the police in their work, may prevent hardship to peaceful citizens."

The Hon'ble MR. DUKE said :—

"Sir, I do not think that Government ought to accept the proposed amendment. I admit the force of the argument that it appears possible that people might be in some way or other troubled or oppressed for the possession of some quite innocent substance, which might conceivably be an ingredient of an explosive substance, and the Hon'ble Member has rather put the matter on that footing, but I would point out that after all explosive substance is only mentioned in the Act in two connections. One of these is with reference to the issue of warrants to search for explosives. Police-officers have no power to go on their own account or to arrest people on the suspicion of possessing explosives. The provision of law under section 60 of the Act, as we propose it to be, is that the Commissioner of Police, on credible information given on oath, may issue a warrant to search for explosive substances.[1] It seems to me that that provision deprives the definition of any possible danger that it might otherwise possess. The Commissioner of Police, on information given on oath and reduced to writing, may issue a warrant to search. The information must necessarily be explicit and state the nature of the explosive that is being looked for, and surely the discretion of the Commissioner can be trusted not to issue a warrant to search for any substance which is devoid of danger. The other operative provision regarding explosives is under the proposed section 62 (*1*) (*ff*) [*now* 62 (*1*) (*g*)] of the Act [Bill, cl. 14 (*now* 16)] and here the previous sanction of the Lieutenant-Governor is required for the Commissioner to make rules to prohibit the carrying of any explosive substance in streets. The rules must necessarily be explicit. The conditions under which the rules can be made surely afford sufficient safeguard that the rules will be reasonable rules. If the rules are reasonable, no power will be given to the police to interfere with harmless substances. Lastly, there is also always some objection to introducing a limiting clause into a general definition. As the Hon'ble Member has pointed out, explosive substances have been defined in Act VI of 1908, that is, an Act which for offences against it imposes a heavy penalty, and it seems hardly necessary that in a much more trifling matter, the regulation of the possession of explosives, we should attempt to define and limit the

[1] See Bill, clause 12 (*now* 14).

[*Babu Bhupendra Nath Basu; Babu Bal Krishna Sahai; Babu Deba Prasad Sarbadhikari.*]

expression 'explosive substance' much more closely than was done in that Act. These are the reasons for which I think the amendment should not be accepted."

The Hon'ble Babu Bhupendra Nath Basu desired that a division should be taken. This was done, with the following result:—

Ayes 13.

The Hon'ble Babu Bhupendra Nath Basu.
" " Kajendra Narayan Bhanja Deo.
" " Babu Deba Prasad Sarbadhikari.
" " Mr. J. G. Apear.
" " Dr. Abdullah-ul-Mamun Sahrawardy.
" " Mr. Saiyid Wasi Ahmad.
" " Maulvi Saiyid Muhammad Fakr-ud-din.
" " Rai Shiba Shankar Sahai Bahadur.
" " Mr. M. S. Das.
" " Babu Baikuntha Nath Sen.
" " " Braja Kishor Prasad.
" " Mr. Dip Narayan Singh.
" " Babu Bal Krishna Sahai.

Noes. 30.

The Hon'ble Mr. F. A. Slacke.
" " " W. C. Macpherson.
" " " D. J. Macpherson.
" " " F. W Duke.
" " " A. S. Thomson.
" " " A. Earle.
" " Sir Charles Allen.
" " Mr. T. Butler.
" " " H. Wheeler
" " " W. R. Gourlay.
" " " Saiyid Ali Imam.
" " " E. P. Chapman.
" " " G. W. Kuchler.
" " " L F. Morshead.
" " " S. L. Maddox.
" " Nawab Saiyid Muhammad Khan Bahadur.
" " Mr. F. L. Halliday.
" " Maharaja Sir Prodyot Kumar Tagore.
" " Sir Frederick Dumayne.
" " Kumar Shiba Nandan Prasad Singh.
" " Sir Bijay Mahtab, Maharajadhiraja Bahadur of Burdwan.
" " Maharaj-Kumar Gopal Saran Narayan Singh.
" " Babu Kirtanand Sinha.
" " Mr. J. C. Shorrock.
" " " W. J. Bradshaw.
" " " Ghulam Husain Kasim Arif.
" " Babu Hrishikesh Laha.
" " Maulvi Saiyid Zahiruddin.
" " Mr. T. R. Filgate.
" " Khan Bahadur Maulvi Sarfaraz Husain Khan

So the motion was lost.

definition of "place of public amusement."

The following motion was, by leave of the President, withdrawn:—

"The Hon'ble BABU BAL KRISHNA SAHAI to move that the words 'whether permanent or temporary,' in lines 2 and 3 of the definition of 'place of public amusement,' in clause 4 of the Bill, be omitted."

The HON'BLE BABU DEBA PRASAD SARBADHIKARI moved that the words "or roligious" be inserted after the word "charitable" in the third to last line of the definition of "place of public amusement" in clause 4 of the Bill.

He said:—"The object of this amendment is to have excluded from the operation of the interfering clauses places where 'music,' 'singing' and 'dancing' go on for religious purposes. The reason of my asking for this exclusion is to be found in clause 14 (*1*) (*g*) [*now* 16 (*1*) (*j*)]. That clause gives the Commissioner of Police power to regulate the means of entrance and exit at 'places of public amusement' and the lighting thereof and 'providing for the maintenance of public safety and the prevention of disturbance therein,' which

[*Babu Deba Prasad Sarbadhikari.*]

uld give the widest possible scope for interference if the police be so lined. So far as mere rule-making is concerned, the matter would not possi- be open to much objection. Having regard to the possibility of a certain erference on the part of the police, I think it is right that places where sic, singing and dancing go on for *bonâ fide* religious purposes, ought to be luded at least in the same way as places where such performances go on charitable purposes in the manner provided in the definition. One would ordinarily have thought that places for religious exercises could by the dest stretch of imagination be mixed up with places of 'public amuse- nt.' But having regard to the definition of 'public amusement' in the l, I am afraid there would be no help for such mixing up and consequent police erference, because music, singing and dancing are a part of most religious formances in this part of the country, so far as our community is concerned, l the public are and have to be admitted where such performances go on, ugh payment is not a *sine qua non* of admission. Money is paid by and lected from the people present, and it is generally intended that money should so collected. All these elements would bring in such places within the defini- n of 'place of public amusement.' Those of us who are aware of the habits l customs of the country know that on ceremonial occasions in almost every ndu household, music, dancing and singing go on in connection with religious ervances and collection of money also takes place. If the definition were med in the same way as the definition of 'place of public entertainment' been framed, and if the motive is that police control would only apply in cases ere it was proved, as in the case of the definition of place of public enter- inment, that profit or gain accrued to the 'person owning or having an interest r managing such place,' then my amendment might not be necessary, because he class of cases that I am thinking of, the person owning or having an interest or managing a place, which would be the householder, generally does not ect or receive that profit, but it ordinarily goes to the officiating priest, the ger or the dancer for whom these collections are primarily intended. It is l known that when a preacher or singer is engaged for this purpose, he is only n a retaining fee, and the guests who are assembled generally make up the of his profits. It is a well-known and well-established thing in the Hindu mmunity, and there is hardly a *sradh* performance or a *puja* where such gs do not occur every day of our life. The singer sings, and if his powers anything like what they ought to be, money flows in in profusion. I see Maharaja of Burdwan smiling—I do not know whether it is a smile of robation or disapprobation—but he will remember that within his *elaka* e are or used to be *kirtaniyas* who go to every part of the country and who paid very small fees by the householder himself by way of a retainer, rest being made up by the guests, amongst whom the Maharaja of Burdwan ht have been one. This is the understood, accepted and intended arrange- t, and it would therefore bring such a function and such an occasion within definition. Sir, in these cases police interference would be extremely undesir- and objectionable. I do not anticipate that the police will not be very ful in the exercise of their powers, but if you give them powers like these, are very liable to be abused. Moreover, I am not sure that under the new visions the police will have much discretionary power and will not be bound nterfere whenever there is occasion. If there are reasons why charitable formances should be excluded, there are greater reasons for excluding reli- s performances, for people are proverbially jealous of all interference regard- religious matters in this country. I confess I do not feel very much the ght of the opening remarks of the Hon'ble Member in charge of the with regard to this matter. He said in effect that if only you introduce ibilities of exclusion of police interference because of religion into the Bill, get rid of all likely safeguards in regard to it. I do not anticipate any difficulty. Of course charity covers a multitude of sins, but I think gion covers a greater multitude and there is the greater reason for excluding

We have also things like *kathakathas* and *jatras* as parts of our religious ormances, and they are held in connection with every ceremonial in Hindu seholds, and I think, Sir, that the exclusion of these from the clause will in any way act to the detriment of objects we have in view in this Bill."

[*Babu Bhupendra Nath Basu; Mr. Saiyid Ali Imam; Sir Charles Allen.*]

The Hon'ble BABU BHUPENDRA NATH BASU said :—

"I have much pleasure, Sir, in supporting my Hon'ble friend, and as this is a provision which affects Bengali life in Calcutta, I think both my friend and myself are entitled to speak with some amount of knowledge, if not of authority, on this subject. I am quite sure, it is known to my friend the Commissioner of Police, that in Calcutta there are many ceremonials where religious preachers and singers have to take part—one of which has been referred to by my friend—the *sradh* ceremony. These *sradh* ceremonials take place in private houses and in private compounds and men are brought down to sing the *kirtanas*, which are a sort of laudatory hymns to the deity. A large crowd of guests assemble there who feel it their duty to make some presents to the singer. It is a duty which must be discharged, and the singer therefore does collect money on the occasion. I am sure our friends who are non-Bengalis in this Council will sympathise with the feelings of the Bengali community when they say that it would be a great interference with private arrangements if on an occasion like the *srad* of a father, a mother or any dear relation, police arrangements are allowed to intermeddle. There is another class which also is known to the Police Commissioner. The *Ramayana* is sung in many places in the Indian part of Calcutta and a large number of people flock there to hear it sung. Rich and poor, all go there with presents and offerings of money and things. This also would come under this definition. What we respectfully ask is this: whether you think—and I think you are right in excluding from the operation of this clause, places where these things are done for a *bonâ fid* charitable object,—there is any harm in also excluding places where music and singing and dancing go on for a *bonâ fide* religious purpose. I am afraid I did not hear what the Hon'ble the Chief Secretary was pleased to say as to the possibility of its opening the door for imposition. Of course, as regards imposition, there are remedies for it, but even the best of us may be imposed upon by 'charitable purposes'. And I am quite sure that if it is made clear that the *Ramayana* or *kathakata* is sung or chanted for religious purposes and the people who go there are mostly old men and women and not the political agitator, then there would hardly be any need for interference. Therefore I appeal, with some degree of confidence, to the Hon'ble the Chief Secretary and to my friend the Commissioner of Police that the amendment proposed by my Hon'ble friend Babu Deba Prasad Sarbadhikari may be accepted."

The Hon'ble MR. SAIYID ALI IMAM said :—

"I submit, Sir, that the point has been somewhat missed in the two addresses that the Council has just heard. The first case where objection is taken by the Hon'ble Babu Deba Prasad Sarbadhikari is the case of the singer whose capacities are such that money flows in, and the second is the case to which reference has been made by my Hon'ble friend Babu Bhupendra Nath Basu and that is the occasion of the *sradh*. Both these speakers laboured in the interests in the one case of the singer and in the other case of the preacher, and they laboured with the point that money might be collected for a *bonâ fid* purpose. I have very grave doubt if such money collected would not be characterised as charitable because it is not religious.

"It is for the temporal good of, in one case, a very able preacher, and in the other, of a very great musical talent; so it seems to me that the point has been somewhat missed in the arguments put forward, inasmuch as the two cases put forward would be covered by the provision of charitable purpose in this definition. Furthermore, it strikes me that unless it is made out that it is undesirable that the police should have any control in places to which the public is invited either on payment of fees or in the hope that a collection will be made, the force of the argument of the two Hon'ble Members is completely lost."

The Hon'ble SIR CHARLES ALLEN said :—

"Sir, I should like to preface my observations with regard to this amendment by one general remark which is to this effect that this amendmen

belongs to a class of amendments which all proceed generally upon the same assumption—that assumption being that the officers upon whom is imposed the duty of administering the Bill will necessarily administer it in the most vexatious possible manner. That is rather a strong statement, perhaps, Sir, and I wish to explain to this Council what I refer to.

"If the Hon'ble Member who proposed this amendment will refer to clause 14 (1) (*g*) [*now* 16(*1*)(*f*)] of the Bill, read with the definition of 'place of public entertainment' and 'place of public amusement,' he will find that the effect of the definition of the two phrases 'place of public entertainment' and 'place of public amusement' in clause 4 of the Bill is that the Commissioner of Police is enabled, with the previous sanction of the Lieutenant-Governor, to make rules regulating the means of entrance and exit at such places when used by the public, and for the maintenance of public safety and the prevention of disturbances therein. Well, Sir, the mover of this amendment and the Hon'ble Babu Bhupendra Nath Basu have both referred this Council to instances in which the use of the powers of the police in connection with such places of amusement and entertainment, respectively, might cause hardship, and I think, Sir, that the members of this Council will entirely agree with the Hon'ble mover of the amendment, that if the police were to interfere in such matters as private *sradhs* and private *pujas* very great oppression and private inconvenience might result. But, Sir, I would appeal to the Hon'ble Member not to believe that the Commissioner of Police and the Lieutenant-Governor are going to frame rules which will give the police such opportunities or that any intention exists in the minds of the Government or of its officers to work oppression in the manner indicated.

"I think, Sir, that as reasonable men we must assume throughout this legislation that it is the intention of the Government and the intention of its officers to work under the provisions of this Act with ordinary discretion so as to prevent the infliction of any unnecessary private inconvenience, and Sir, I think also that the members of this Council will agree with me that the Lieutenant-Governor and the Commissioner of Police are officers to whose hands the administration of this clause can very properly be entrusted. Under these circumstances it is surely unnecessary to look through these clauses to find opportunities for the police to abuse their powers, and we are bound to assume that the police will use a proper discretion in the exercise of the powers vested in them under this Act. I make these general observations not only with regard to this amendment but also with regard to several other amendments which have been tabled before this Council.

"After that preliminary observation I should like to say with regard to this particular amendment that the introduction of the phrase which the Hon'ble mover of the amendment proposes is likely to cause difficulty in working the Act and is certain to hamper those whose duty it will be to administer the Act. It will be exceedingly difficult for the Commissioner of Police or his subordinates to attach any precise meaning to the expression which the Hon'ble mover of the amendment proposes to introduce, and I fear that under the colour of the proposed amendment objection will be taken which will be wholly unreasonable. Therefore, I would ask the Council to reject the amendment, as I believe it to be entirely unnecessary and that it will raise difficulties in the execution by the police of their duties under this Act."

The Hon'ble Mr. Das said :—

"Your Honour, the illustrations that were used by the Hon'ble mover and by the Hon'ble Babu Bhupendra Nath Basu were not exhaustive. They were only particular instances. Of course, I fully accept Sir Charles Allen's view of the position. He thinks that it is the duty of the police to keep order as regards people coming in and going out in a place where a certain number of people congregate, but there is no reason why a meeting that has been got up for charitable purposes should be an exception to the rule; even when people congregate for that purpose, a certain amount of order ought nevertheless to be maintained by the police. But charitable meetings have been excepted, as the

clause now stands, by the words 'otherwise than *bonâ fide* charitable purposes'. These words, Sir exclude assemblies that have been got up for charitable purposes from the purview of that definition. Now, if a meeting or assembly, which has been gathered for a charitable purpose, is to be excluded from the definition of a 'place of public amusement' because the object is charitable, *a fortiori*, I submit that a meeting that has been got up for a *bonâ fide* religious purpose ought to be excluded, because religion is in no sense an amusement and certainly should not find a place in the definition of a place of public amusement. I can very well conceive cases where, for instance, Christian people get up a meeting and have singing there in order to get up funds which are to be used for building a church; that would distinctly be a *bonâ fide* religious purpose. There is no doubt about it. The difficulty we have to face is that such singing ought not to come in the definition of 'place of public amusement'. In devotional church services people sing, but in that case the object is very different. It is not amusement. We stand here in this anomalous position. We exclude charitable purpose, and yet we do not exclude religious purpose. I can fully understand Sir Charles Allen's difficulties that in working the Act the police might be in a very difficult position, because it is sometimes difficult to say which is religious and which is not. There are different sects of religion. What one party calls religious another calls heretic. As the clause stands, religious purpose ought to be excluded because the definition is 'a place of public amusement'. But then Sir Charles Allen might say it is difficult to see how dancing can come in as religious.

"These are our difficulties. I submit that something ought to be done to exclude religion, and yet it cannot be consistently made an exception in a definition of 'a place of public amusement,' if it is to be excluded, as it ought to be. There ought to be a provision which should exclude both religious and charitable purpose, leaving it to the authorities to decide which is religious and which is not, in doubtful cases."

The Hon'ble MR. DIP NARAYAN SINGH said:—

"The important qualifying phrase '*bonâ fide*' has been overlooked. Wrongs can be committed under the cloak of religion as under the cloak of charity. What I wish to submit is that if *bonâ fide* charity is to be excluded, *bonâ fide* religion, on the same grounds, ought also to receive the same treatment. I beg the amendment may be accepted by the Council."

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"I wish I could endorse what Sir Charles Allen says about the intention of the Government and of the high officials with regard to the operation of this Act, and I wish I could say the same about the lower grades of the Police-officers. But unfortunately we are fully aware of the fact that the Acts of the Police-officers of lower grades, with a few exceptions, are not in accordance with the intention of the Government. The particular instances that have been mentioned by the Hon'ble mover and by my Hon'ble friend, Babu Bhupendra Nath Basu, deserve careful consideration. These are matters which are known not only in this metropolis, but throughout the province of Bengal. During *puja* occasions it is the case that dancing goes on and payments are made. Then during occasions of *sradh*, *sankirtan* is considered to be a part of the religious ceremony. These are particular instances, and I appeal to Your Honour to consider whether or not some sort of safeguard with regard to these occasions should be made. I think the suggestion which has been made by the Hon'ble mover is quite fair and is not likely to create any difficulty in the carrying out of the operations of this Act. These are particular instances which may be accepted. The Hon'ble Sir Charles has observed that it is not necessary to specify 'religious' as the word 'charitable' includes 'religious,' but unfortunately the remarks made in the Council are not considered during the construction of the Act, when a case is tried by our Courts. The only thing that I would beg to submit to Your Honour is to save, as it were, these classes of dancing, singing, etc., which are really for *bonâ fide* religious purposes."

[*Maulvi Saiyid Muhammad Fakr ud-din; Babu Deba Prasad Sarbadhikari.*]

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN said:—

"I beg to support the amendment, because there will be no danger if the words 'or religious' be inserted after the word 'charitable.' The Hon'ble movers of the amendment have illustrated various religious instances, and they have shown the difficulty which might be felt in the performance of certain religious ceremonies, and I think, therefore, that it would be better to insert the words 'or religious', as proposed by the Hon'ble movers. When the word '*bonâ fide*' is before the word 'charitable' this word will govern and qualify the word 'religious' as well. The Commissioner of Police will be able to know the *bonâ fides* or otherwise of religious gatherings and the collection of money for religious purposes. It will be too hard if the *bonâ fide* religious gatherings or the collection of money for *bonâ fide* religious purposes are not excepted from the definition. I think I am therefore fully justified in supporting the amendment."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"In the first instance I wish to point out regarding Sir Charles Allen's observations that the words '*bonâ fide* charitable purposes' appearing in the definition which appear to him to be no less objectionable than 'religious purposes' are not a part of amendment here or in Select Committee at all, but a part of the old draft taken from the Bombay Act. The exclusion of religious purposes from the definition does not occur in the Bombay Act, and not knowing the Bombay conditions, I cannot say whether it was necessary there or not. Because this was not thought necessary or insisted on in Bombay is little answer to the demand for exclusion here. Conditions vary in different parts of the country, and apparently some of our Bihar friends do not know what is the prevailing order of things in Lower Bengal, at least in Calcutta and its suburbs, which this Bill seeks to control. '*Bonâ fide* charitable' being thus already excluded, I do not think Sir Charles Allen's general observations—or rather the particular observation which followed his general observations—apply to this case. We have the fact that Government has thought fit to exclude charitable purposes, and a very special case has to be made out before such exclusion is denied with regard to religious purposes. As we view it, the necessity for that exclusion is much more paramount than in the case of charitable purposes. People are not bound to be charitable, but they cannot do without religion. If they find that it is not safe to be charitable, they will cease to be charitable, but they cannot dissuade themselves from being religious. While Sir Charles Allen has made a general appeal to which we would not hesitate to give our assent, we also like to make a general observation which had been already made also in a previous note of mine. Is there a guarantee that sympathetic treatment will always be characteristic of police administration? We are legislating for a long time and we must be careful that no loophole is found by which gratuitous popular annoyance may be possible. I am sorry, Sir, that the learned Standing Counsel has spoken, and I think that when I have spoken after him, he will be still more sorry that he spoke. In the first instance, he says that this payment of fees I have spoken of, is for the temporal good of the recipient and has nothing to do with religion. It may, therefore, well rank as charity and thus take the whole affair out of the purview of the definition. All that I can say is that if there is such a difference it would not in any case be honest and would not hold good. Moreover, the recipient himself would strongly object to consider the earnings as charity. I should like my Hon'ble friend to meet the infuriated priest and offer him charity like that. They do not look upon this as a part of charity at all. It is considered rightful gain, earned in due course under a system that has grown long in the country. It might possibly have been objected to, but no one has objected, that if there is not the intention that money should be collected in this particular way, the case would not be covered by this definition. The case is however different, and on all these occasions, be he a millionaire householder or be he the poorest of men, the intention is and the practice has always been that money shall be collected for the benefit of these men and in this particular way. Therefore there is the necessary intention always. It may be a problem for social reformers,

whether this ought to be or not, but it is there, and I am afraid it will be there for a very long time to come. As my Hon'ble friends Babu Bhupendra Nath Basu and Mr. M. Das have pointed out, there are innumerable cases where this goes on, and I did not attempt to exhaust the list. In private temples, too, this goes on from morning till evening; and if the police is inclined, there is nothing to prevent interference. Now, Sir, that being so, and the religious susceptibilities of a very important section being concerned, I very respectfully appeal that this harmless amendment ought not to be rejected. Of course some of my Muhammadan friends spoke against it, and I was putting down that opposition to my idea that all singing and dancing and music in connection with religious matters are objectionable from their point of view. I am glad, however, to have the support of one of my Muhammadan friends in the Council, and that shows that there is a feeling which Hindus and Muhammadans alike share.

"And it is also shared by Christians as the Hon'ble Mr. Das has demonstrated by his support. It is not right that the people should by and by have to think that they should drop practices which have been cherished institutions of the land for a long long while, and the regret and the mischief will be the greater because they are connected with religion.

A division was then taken, with the following result:—

Ayes 18.	*Noes 25.*
The Hon'ble Maharaja Sir Prodyot Kumar Tagore.	The Hon'ble Mr. F. A Slacke.
„ „ Babu Bhupendra Nath Basu.	„ „ „ W. C. Macpherson.
„ „ Sir Bijay Mah'tab, Maharajadhiraja Bahadur of Burdwan.	„ „ „ D. J. Macpherson.
„ „ Babu Kirtanand Sinha.	„ „ „ F. W. Duke.
„ „ Rajendra Narayan Bhanja Deo.	„ „ „ A. S. Thomson.
„ „ Babu Deba Prasad Sarbadhikari.	„ „ „ A. Earle.
„ „ Mr. J. G. Apear.	„ „ Sir Charles Allen.
„ „ Mr. Ghulam Husain Kasim Arif.	„ „ Mr. T. Butler
„ „ Dr. Abdullah-ul-Mamun Suhrawardy.	„ „ „ H. Wheeler.
„ „ Mr Saiyid Wasi Ahmad.	„ „ „ W. R. Gourlay.
„ „ Maulvi Saiyid Muhammad Fakr-ud-din.	„ „ „ Saiyid Ali Imam.
„ „ Babu Hrishikesh Laha	„ „ „ E. P. Chapman.
„ „ Rai Shiba Shankar Sahai Bahadur.	„ „ „ G. W. Kuehler.
„ „ Mr. M. S Das.	„ „ „ L. F Morshead.
„ „ Babu Baikuntha Nath Sen.	„ „ „ S. L. Maldox.
„ „ „ Braja Kishor Prasad.	„ „ „ Nawab Saiyid Muhammad, Khan Bahadur.
„ „ Mr. Dip Narayan Singh	„ „ „ F. L. Halliday.
„ „ Babu Bal Krishna Sahai.	„ „ Sir Frederick Dumayne.
	„ „ Kumar Shiba Nandan Prasad Singh.
	„ „ Maharaj-Kumar Gopal Saran Narayan Singh.
	„ „ Mr. J. C Shorrock.
	„ „ „ W. J. Bradshaw.
	„ „ Maulvi Saiyid Zahir-ud-din.
	„ „ Mr. T. R. Filgate.
	„ „ Khan Bahadur Maulvi Sarfaraz Hussain Khan.

So the motion was lost.

The following motion was, by leave of the President, withdrawn:—

The Hon'ble BABU DEBA PRASAD SARBADHIKARI to move that the word 'gymnasium', in the last line of the definition of 'place of public amusement', in clause 4 of the Bill, be omitted.

The following motions were taken together, namely:—

definition of "place of public entertainment."

10. The Hon'ble BABU DEBA PRASAD SARBADHIKARI to move that for the words "food, drink", in line 3 of the definition of "place of public entertainment", in clause 4 of the Bill, the words "spirituous drink" be substituted.

[*Babu Deba Prasad Sarbadhikari.*]

11. The Hon'ble BABU DEBA PRASAD SARBADHIKARI to move that the following words in the definition of "place of public entertainment," in clause 4 of the Bill, be omitted, namely:—

"refreshment-room," "eating-house," "tea-shop," "boarding-house" and "lodging-house."

12. If Motion No. 11 be not carried, the Hon'ble BABU DEBA PRASAD SARBADHIKARI to move that for the words "lodging-house, hotel," in line 7 of the definition of "place of public entertainment," in clause 4 of the Bill, the following be substituted, namely:—

or lodging-house in which any kind of spirituous drink or drug is supplied for consumption on the premises for profit or gain, and a hotel.

He said:—"The object of all the three amendments are of course the same, and in moving them together, as suggested by Your Honour, I only hope, Sir, that in case the first two are lost, the third may have separate and independent consideration. The words which I seek to omit from the definition in clause 4 of the Bill are 'food and drink,' and I ask that the words 'spirituous drink' be substituted in their place. The Council will remember that it was at my instance that 'drug' was included in the definition, and the Council will thus be satisfied that I have no desire to restrict the scope of the definition unnecessarily or improperly. The amended definition will give control only with regard to the premises where spirituous drink or drug is supplied, and would leave out refreshment-rooms, eating-houses, tea-shops, boarding-houses and lodging-houses. If at these places spirituous drink or drugs are allowed, they will come in, as a matter of course, under this definition, whether it be a refreshment room, or an eating-house, or a tea-shop, or a boarding-house, or a lodging-house. I do not know what the feeling of my European friends are with regard to the matter of boarding-houses, lodging-houses and refreshment-rooms. But we have amongst us a class of these institutions—small hotels, *mithai* shops, small eating-houses owned by Brahmans—where the poor and some of the middle classes go for their meals, and which manage to carry on some sort of existence with a modicum of profit to those who start them but to the great good of those who have no other place to go to. If these places are subjected to interference, the inconvenience will be great. Many members may have noticed, during midday adjournment of offices and courts, poor clerks make their way into *mithai* shops, where they are allowed to sit and are given some food and a little water which they take inside the shop. Supposing this clause is brought into force, the shop-keepers will say to their customers: 'You cannot step into the premises. You may stand on the foot-path and eat away as much as you like.' Of course this may be called an extreme case; but when occasion arises with regard to institutions of other kinds, interference like this will be unavoidable. If orderliness is the end in view, I submit, Sir, my provision with regard to spirituous drinks or drugs ought to suffice, and mere service of food ought not to cause interference. It may be urged that in recent times some of these boarding-houses and lodging-houses have been centres of undesirable gatherings which have to be put down with all the rigours of the law. But they can be dealt with under other laws, and for the purpose of dealing with them, we ought not to interfere with general and ordinary public convenience. It is therefore important that these places should be excluded from the purview of police action. But this is not all. Considering how the definition has been framed, I am afraid the class of cases that I refer to in connection with places of public amusement will also be subject to control contemplated by this definition. What we are told here is that a place will be considered a place of public entertainment if food is supplied for consumption on the premises for profit or gain of any person managing such a place. That being the case it is not merely the tradesman that would come in. It is possible that in places which are not trading concerns at all, but where food is supplied and the person supplying it benefits in money, the operation will come in. Here, again, is a matter of [illegible] Hindu friends that in [illegible] houses or in

shapes are made, not for the benefit of the singer, the dancer or the musician, but for the benefit of the householder. I am sorry to have to tell these things to non-Hindu members of the Council, and I do not know how social reformers will view them. But there is hardly a ceremonial occasion, Sir, when guests are fed and some money offerings are not made by them. In weddings or funerals it goes to the pockets of the householder who feeds his guests. It is not a consideration, it is not a thing that he insists upon, but it is a thing that exists. I do not anticipate that a Police-officer who knows his duty will be found indulging in the pastime of interfering in these affairs. But they are a class of cases that is more than conceivable, and if I read the law aright the police will be bound to interfere unless the rules are specially careful and wide. Whether it be in the case of a tradesman or a householder, the fact that some profits have been made out of a transaction or operation—because it may not be a transaction in all cases—ought not to make it amenable to police interference or police control. Moreover, an addition of powers like these will give more work to the already overworked police, and those fine distinctions that are at times necessary for determining action will be by and by impossible, and may result in the abuse now anticipated. I therefore ask, Sir, that the words 'refreshment-room,' 'eating-house,' 'tea-shop,' 'boarding-house' and 'lodging-house' may be omitted, and that 'spirituous drink' may be substituted for the word 'food, drink' in the definition in clause 4 of the Bill."

The Hon'ble MR. DUKE said:—

"I do not think it is possible to accept this amendment. I would draw attention to the fact that all these places which the Hon'ble Mover of the motion wishes to exclude from the operation of the law relating to places of public entertainment, have always been included in the definition of places of public entertainment. Under section 35 we find the same sort of places mentioned—boarding-houses, eating-houses and the like [1] All these places cannot be conducted without a license, and it must be recognised that all licensed places ought to come under some measure of control. Let us now see what the effect of the present definition of a place of public entertainment is. The only operative clause, I take it, is clause 14 (*1*) (*g*) [*now* 16 (*1*) (*f*)]. They come under the power of making rules to provide for the maintenance of public safety. One would think from the line of argument taken that the immediate effect of including them in the definition of places of public entertainment would be that the keepers of such places would be handed over to the mercies of the police. But as a matter of fact the only effect of their inclusion is that they are liable to be regulated by rules made by the Commissioner of Police with the previous sanction of the Lieutenant-Governor. Here, again, some degree of discretion must be expected in the framers of the rules that they will not make rules for regulating the exit and entrance to tea-shops in small godowns. The rules will be made for places which require regulating, and I would point out that to limit places of public entertainment to places where spirituous drinks are sold is illogical in itself. The question is not what is sold, but the number and character of the people who frequent the place. It may be only a tea-shop, but if it is a tea-shop which is frequented by an undesirable class of people in great numbers, it is most essential that some sort of regulation should be possible. Now, in the same way, it may seem somewhat absurd to maintain order in a boarding-house which may be a most high class and respectable place. On the other hand, it may be a lascars or coolies' boarding-house with hundreds of doubtful characters. Is it possible to say that there should be no power of regulating the management of such a place?"

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I may be permitted to say that, so far as section 35 is concerned, it deals with the question of licenses,[1] but here what we are doing is somewhat in advance of that, and are legislating not only with regard to means of entrance and exit, but of lighting and of prevention of disturbances in the premises concerned. I submit, Sir, that the class of operation that goes on in a premises ought to determine the amount of interference, and what is necessary

[1] See s. 35 of the Calcutta Police Act, 1866.

[*Rai Shiba Shankar Sahai Bahadur; Mr. Duke; Babu Deba Prasad Sarbadhikari.*]

and good in the case of spirituous drink or drug does not apply in the supply of food. If largeness of public resort is to be a warrant for such interference, I do not know why, by and by, we should not have to think of regulating public resort to places like Whiteaway and Laidlaw or other big shops, where a large number of people goes especially during the bargain sales. What is urged in favour of the definition would be quite good authority for doing it. Sir, my friend has referred to section 35, but even that section does not touch the tea-shops, and I would plead for that, if for nothing else. I do not know whether it is due to my own personal predilection for tea. Coffee-shops are often dens of crime in the Machua Bazar portion of the town, but in a tea-shop the most innocent of things may be going on."

The motions were then separately put and lost.

definition of "Police-officer."

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR moved that the words "or Assistant," in the third line of the definition of "Police-officer" in clause 4 of the Bill, be omitted.

He said:—"This amendment is only formal. The definition is borrowed from the Bombay Act, section 3 (*b*). Apparently in Bombay we have a class of officers called Assistant Commissioners of Police [I beg to refer to section 6, clause (1) of the Bombay Act]. We, however, do not provide for the appointment of an Assistant Commissioner of Police in Calcutta (I beg to refer to section 5 of the Calcutta Police Act). Therefore I propose that the word 'Assistant' be omitted from the definition."

The Hon'ble MR. DUKE said:—

"I beg to accept the amendment. The word does not occur in the present Act, nor does it appear necessary, as this function could not be introduced without legislation. It will be time enough when this function is introduced, to introduce the word. It seems to have got in because of a recommendation of the Police Commission."

The motion was put and agreed to.

definition of "public place"

The Hon'ble BABU DEBA PRASAD SARBADHIKARI moved that the words "a right of" be inserted before the word "access" in line 2 of the definition of "public place" in clause 4 of the Bill.

He said:—"This will, if accepted, bring 'public place' in line with the definition of street, which is the next definition in that clause. Street is defined as any road, lane, etc., to which the public have permanently or temporarily *a right of access*. I am merely suggesting that the same words should occur in the definition of 'public place.' If the word is necessary in the case of street, where right of access might be presumed, I think there is a greater need for it in the case of public places. The mere fact that the public have access to a place ought not to make it a public place; there ought to be right of access to bring it under the category of 'public place.' Unless we have it, the mere fact of the public having access, whether as a matter of right or not, to a place, would make any warehouse,—and there are many in Calcutta,—a public place. I therefore submit, Sir, that this ought to be allowed."

The Hon'ble MR. DUKE said:—

"I am unable to accept the amendment. As to the difference between street and public place, street has been defined as a road, lane or any public place or thoroughfare to which the public have a right of access. Public place is defined as a place to which the public have access. It is difficult to explain why the question of right is introduced in one case and not in the other; but as regards streets, the right is almost the only way of distinguishing from public streets and private avenues. But in dealing with public places and places like the banks of the river, it is not the concern of the police whether the people who are there have a right to be there, but whether they need to be controlled. The point for police purposes is that they are there, and that is really the whole case. It would be absurd that contentions should be raised subsequently that

[*Mr. Saiyid Ali Imam; Babu Deba Prasad Sarbadhikari; the President; Rai Shiba Shankar Sahai Bahadur.*]

the action taken was wrong because, although the people were there, they had no right to be there."

The Hon'ble MR. SAIYID ALI IMAM said:—

"I do not know, Sir, whether, if I speak, my learned friend, the Hon'ble Babu Deba Prasad Sarbadhikari, will again indulge in prophecy in respect of the acute state of mental suffering I shall have after I have spoken, and perhaps worse after my Hon'ble friend has spoken in reply. But I venture to put before the Council that the Hon'ble Member has not appreciated this particular part of the Bill. He has absolutely, I may submit with a great deal of deference, overlooked certain considerations that arise when we give due weight to those words 'banks of the river, docks, jetties, warehouses,' to which the public have a right of access. If the Council were to accept for a moment the suggestion that has been put forward, we should be reduced to this necessity that—in the case of the bank of a river which may be the private property of a zamindar, but which is let out as a matter of indulgence to the public to be used for the purpose of bathing, and which, say, for the sake of my argument, belongs to the Maharajadhiraja of Burdwan,—the result will be that if the Maharaja's magnanimity allowed a large part of the public as a matter of convenience to use this particular bank, and as such there is access of the public there, then, if we accept the amendment, the result would be that there would be a very large assemblage of men on such a bank and they may take to any excesses they like; because, if the amendment is accepted, the police could not possibly have any control upon such a large assemblage on the ground that, if this suggestion is accepted, the police will have no control over this mass, because it will be said that this particular assemblage had no right to that place inasmuch as it did not belong to them, nor had they any right or title to go to the place. The result is that all such assemblies would be absolutely out of the control of the police. I submit the amendment will be destructive of the very object the clause has in view.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"The very moderate statement of my Hon'ble friend has quite convinced me that I was in error with regard to banks of rivers, docks and jetties, and I was about to say so when the sledge-hammer of my Hon'ble friend the Standing Counsel came in. That did not, however, convince me as to the propriety or necessity of warehouses being considered as public places simply because the public have access to them. I would, therefore, invite the Hon'ble Member in charge of the Bill to exclude warehouses from the definition of public place because the public happen to have access there. I am sorry my Hon'ble friend, Rai Sita Nath Ray Bahadur, is not present here to-day, and he would have borne me out that there are many large warehouses—and I directed my observations chiefly to warehouses—which would have to suffer if the mere reason of access were to make them public places. With that observation I invite the Hon'ble Mr. Duke to consider at least the case of warehouses and exclude them from the definition. There are many other places situated like warehouses which are not included in this definition, and if restrictions are considered necessary in the case of warehouses why should these other places be excluded?

The PRESIDENT said:—

"I am afraid that I cannot allow it. A warehouse certainly may be a public place for all practical purposes, although it may be so merely through the courtesy of the owner of a warehouse. The Hon'ble Member will move the amendment as it stands or else withdraw it."

The motion was then, by leave of the President, withdrawn.

Clause 4 A (now 5).

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR moved that the word "needless", in line 1 of sub-clause (*j*) in clause 4A (*now* 5) of the Bill, be omitted.

He said:—"There is no reason as to why in conducting searches a Police-officer may have at all to be rude. This is pointed out by the Vakils' Association (paper No. 9), and their objection is worthy of consideration. By the

insertion of this word we to some extent legalise rudeness which is not necessary."

The Hon'ble MR. DUKE said :—

"I wish, Sir, that I could accept the amendment. I do not think, however, that it would be entirely reasonable to do so. I do not wish to appear as an advocate for rudeness in the police under any circumstances, but it is one thing to disapprove of rudeness and another thing to make a statutory provision that on no occasion is rudeness to be exercised. It must be remembered that the people with whom the police deal are not the most refined classes of society. On the contrary, they often come against people who treat them with extreme rudeness. Such rudeness must be met with some degree of harshness. Although it may be fully justifiable, it is capable of being considered as rudeness. It must be remembered that this provision as to the duties of Police-officers, which is contained in clause 4A (*now* 5) of the Bill, is governed by an extremely severe sentence, namely, that in proposed section 13B in clause 6 (*now* 7) of the Bill, by which an officer who contravenes any of its provisions or is guilty of any dereliction of duty, is liable to three months' imprisonment or a fine which may extend to Rs. 100.

"I think it will be rather too much to lay down that an officer who was guilty of rudeness, even under provocation, should be liable to that very severe penalty."

The motion was then, by leave of the President, withdrawn.

The following motions were, by leave of the President, withdrawn :—

16. The Hon'ble BABU HRISHIKESH LAHA to move that the words "being rude" be substituted for the words "needless rudeness" in lines 1 and 2 of sub-clause (*j*) in clause 4A (*now* 5) of the Bill.

17. The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR to move that the words "or damage" be inserted after the word "annoyance" in line 3 of sub-clause (*j*) in clause 4A (*now* 5) of the Bill.

Clause 6 (now 7) :—

section marked A.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR moved that for the following words in section A in clause 6 (*now* 7) of the Bill, namely :—

The Commissioner or a Deputy Commissioner of Police shall not, without the permission of the Lieutenant-Governor, and a Police-officer of lower rank than that of Deputy Commissioner shall not, without the permission of the Commissioner of Police.

the following be substituted, namely :—

No Police-officer other than a special Police-officer shall, without the permission of the Lieutenant-Governor.

He said :—"This amendment is proposed to bring the Calcutta Act into conformity with section 17 of the Bombay Act.

"It is highly desirable that the members of the police force should not be allowed to engage in trade, etc., where they act as Police-officers. There may be some exceptions to this rule; but the power of making exceptions should be cautiously and very rarely exercised. I do not mean any disrespect to or want of confidence in the Commissioner of Police when I suggest that the power of making exceptions with regard to his subordinates should not vest in him but in the Government. I feel that if the matter has to be referred to Government it will be seldom or rarely necessary to make exceptions, and that is the object I have in view. I further beg to point out that the proceedings of the Bombay Council show that there, as in the present Bill, the power was proposed to vest in the Commissioner of Police. But subsequently, on objection, it was altered, and in Bombay this power vests in Government alone.

"The object of my amendment is to follow the exact wording of the Bombay Act, especially as it was passed after consideration and discussion of the particular point before the Council."

[*Mr. Duke; Babu Bhupendra Nath Basu; Babu Bal Krishna Sahai.*]

The Hon'ble MR. DUKE said :—

"I do not think, Sir, that the amendment can be accepted. But the Hon'ble Member is under a misapprehension as to the Commissioner of Police or any superior authority encouraging the members of the force to engage in any sort of trade or business outside their regular profession. There is not the least fear of anything of that sort occurring, but the point is that it is necessary to provide for cases which arise. A very great number of the members of the force are inhabitants of Calcutta and members of Hindu joint-families, and are constantly interested in a very small way in transactions in immovable property. Suppose that a family house has to be sold in which some Sub-Inspector of police is interested, it is necessary for him to obtain the consent of his superiors, but it is not reasonable that every such case shall have to be reported to the Local Government. The matter is one of discipline. As to engaging in trade, it is inconceivable that any active officers of the force should be permitted to engage in any trade, but many of them are poor men; and if an officer should be compelled to take leave for a long period without pay, he may quite properly engage in some trade, and so long as he is not an active officer of the force, he may be permitted to do so. All these are subjects in which the Local Government ought not to be troubled but they are departmental matters in which the Commissioner might be left to judge. In the cases of superior officers, they must come before the Local Government, but for officers of lower rank I think that it might be taken that the control of the Head of the Department is sufficient."

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

"Is there not a rule prohibiting Government servants from engaging in any trade? I believe there is such a rule."

The Hon'ble MR. DUKE replied :—

"Yes, there is such a rule."

The motion was then, by leave of the President, withdrawn.

The Hon'ble Babu Bal Krishna Sahai moved that the following portion of section A in clause 6 (*now* 7) of the Bill be omitted, namely :—

(*a*) engage in any trade, or.

He said :—"I find from the answer given by the Hon'ble the Chief Secretary that there is a general rule which prohibits Government servants from entering into any sort of trade, so it will be misleading to have this clause, and Government will be pestered with applications from the employees of the Police Service asking for permission to enter into trade or other business The object is to discourage trade by Police-officers and to avoid misinterpretation; it is safe to omit this clause.

The Hon'ble MR. DUKE said :—

"I think it is better that the thing should be specifically provided for in the clauses of the Bill. There is a general rule for Government servants against engaging in trade, but I know of no specific legislation. The Bill, however, leaves it in such a position that the Head of the department might, if there is any necessity, permit it. It is not conceivable that this should take place with regard to officers in active service: it only applies to officers who are not in active employment."

The Motion was then put and lost.

section marked C.

The Hon'ble Babu Bal Krishna Sahai moved that after sub-clause (*a*) of section C in clause 6 (*now* 7) of the Bill the following be inserted, namely:—

(*aa*) in conducting a lawful search, causes damage or annoyance vexatiously or negligently, or acts in excess of authority.

[Mr. Duke; Rai Shiba Shankar Sahai Bahadur.]

He said:—"This amendment has been provided for the purpose of ensuring the safety of innocent people from acts done by Police-officers in excess of their authority or vexatiously."

The Hon'ble MR. DUKE said:—

"I am quite unable to accept this amendment. The conduct of searches is dealt with in clause 4A (*j*) [*now* 5 (j)] of the Bill, and any Police-officer, who contravenes the direction, is liable to punishment under proposed section 13B in clause 6 (*now* 7) of the Bill. The punishment is quite heavy enough, and there is no reason to enhance it under this clause. I think probably that the Hon'ble Member has omitted to notice this point, or otherwise he would hardly have provided another clause with different wording for the same purpose. It would be going very far to provide that mere negligence or acts in excess of authority, where the line may be very finely drawn, may be punished with six months' imprisonment. For such acts the civil remedy is surely sufficient."

The Motion was then, by leave of the President, withdrawn.

The following Motions were, by leave of the President, withdrawn:—

New clause 7A.

21. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely:—

Amendment of sections 18 to 21 of the Calcutta Act.

7A. In sections 18, 19, 20 and 21 of the Calcutta Act, for the words "constables" and "constable," wherever they occur, the words "Police-officers" and "Police-officer" shall respectively be substituted.

New clause 7B.

22. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely:—

Amendment of section 18 of the Calcutta Act and section 12 of the Suburban Act.

7B. (*1*) In section 18 of the Calcutta Act, and in section 12 of the Suburban Act, after the word "authority" the words "at any time" shall be inserted.

(*2*) In the same sections, after the word "appoint" the words "any able-bodied male persons between the ages of eighteen and fifty-five to be" shall be inserted.

New clause 7C.

23. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely.—

Amendment of section 21 of the Calcutta Act and section 15 of the Suburban Act.

7C. In the first paragraph of section 21 of the Calcutta Act, and in the first paragraph of section 15 of the Suburban Act, after the words "shall be vested with all the powers, privileges and duties of" the following shall be inserted, namely:—

"and shall be amenable to the same penalties and be subordinate to the same authorities as".

New clause 7D.

24. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely:—

Amendment of section 21 of the Calcutta Act.

7D. In the first paragraph of section 21 of the Calcutta Act, for the words "Police-force" the words "ordinary force" shall be substituted.

[*Rai Shiba Shankar Sahai Bahadur; Babu Deba Prasad Sarbadhikari; Mr. Duke; Mr. Saiyid Ali Imam.*]

New clause 8A.

25. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely:—

Amendment of section 25 of the Calcutta Act.

8A. In section 25 of the Calcutta Act, after the word "protection" the words "and shall be amenable to the same penalties" shall be inserted.

Clause 9 (now 10).

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the word "trespasses" be substituted for the words "enters or remains" in lines 4 and 5 of clause 9 (*now* 10) of the Bill.

He said:—"The reason for this amendment is that incidents of trespass are well known to law, and that has been the word that we have always been accustomed to use. There may be instances when a man may, without any intention of mischief or harm, enter a place, and the onus of satisfactorily proving that he was not to blame will, under this clause, be upon him. This is a process and principle regarding criminal cases that have always been rightly discounted. Regarding the gruesome pictures drawn by my hon'ble friend the Standing Counsel, I do not think that is a class of situations intended to be dealt with by provisions like these, for a penalty of Rs. 20 which is here provided will be but a poor remedy. We have stronger provisions elsewhere for the drastic situations depicted by the learned Standing Counsel. But this special measure is intended to deal with the class of cases where the curiosity of an ignorant person or such like trifles may have to be checked. The safeguards long known to law ought not to be lightly sacrificed."

The Hon'ble MR. DUKE said:—

"I do not think, Sir, that the substitution of 'trespasses' for 'enters or remains' can be agreed to. The object of the clause is to take power to prevent people from entering places, private or public, where they have no right to be. "The clause is safeguarded by the provision that the act must be wilful and without satisfactory excuse; for instance, as I have already observed, it has been suggested that an ignorant peasant from the country might stray into the grounds of Government House moved by curiosity to see where the Viceroy lives. An excuse of that kind would protect a man from penalty. If he were an ignorant man, his ignorance would be quite a satisfactory excuse and he would be turned out and there would be an end of it, but if the man persisted in staying or coming back, or if a man who knew better came in on a false excuse, there is no reason why he should not suffer a small penalty. The maximum penalty provided is in itself a small one.

"If we were to import the word 'trespass,' we should be importing all sorts of difficult questions. I am not afraid that the substitution of the word would bring in the definition of criminal trespass, because that is a thing entirely different from trespass, but in law, trespass may give rise to troublesome questions as to the right of a person proceeded against, and I take it that it is much better to use the simple expressions that we have in the clause which are perfectly clear, namely, 'wilfully enters or remains and without satisfactory excuse'. The sort of practice which the police have to deal with is that, on some public occasion, people climb upon statues, cover the pedestal and perhaps climb upon the figure. They may intend no harm, and may do no harm, but the practice is unsightly and may lead to risk or damage, and is one with which the police ought to be able to interfere. It is for occasions of that sort and for nothing else that we desire the clause and I do not think it carries any risk of the public being ill-treated by it."

The Hon'ble MR. SAIYID ALI IMAM said:—

"I have an objection to the word 'trespasses' being inserted here in place of the words 'enters or remains' for some strong reasons, looking at

clause 9 (*now* 10), and specially in the light of some of the words to which obviously the Hon'ble Member has got no objection, or if he has, he should have proposed 'amendment in respect of them. The words that I refer to now are these—wilfully enters or remains.' The clause would run thus, 'Whoever without satisfactory excuse wilfully enters or remains in or upon any dwelling-house or private premises or upon land or ground attached thereto, of any ground, building, monument or structure, belonging to the Government, or appropriated to public purposes, etc., etc.' If the amendment is accepted, there would be difficulty in regard to this that if anyone was found who had not any satisfactory excuse, and who entered or remained on the building or monument or whatever may be appropriated to public purposes, in that case we shall have to prove that he was committing criminal trespass or at any rate civil trespass. I should find, certainly, a great deal of difficulty in proving that he was committing trespass by entering or remaining on any such ground or building that is appropriated to public purposes, To say, that by remaining there he committed trespass, it would be making the clause impossible if the insertion of the word 'trespasses' is insisted upon, and therefore it seems to me that by the amendment, if accepted, the portion of the clause appropriated to public purposes becomes repugnant, and with Your Honour's permission and in defiance of the strictures from my Hon'ble friends, I venture to think that the Council could not see its way to accept the amendment, because if the Council accepts the amendment it would have to abandon that part of the clause."

The Hon'ble BABU BHUPENDRA NATH BASU said :—

"I had also given notice of a similar amendment, but my hon'ble friend moving his amendment, it becomes unnecessary. What I believe is that the word 'trespasses' would serve the purpose which the Hon'ble Member in charge of the Bill has in view, as well as the words 'enters or remains'. I do not suppose that there is any feeling in the mind of the Chief Secretary to punish an unwary man, a man who comes from the mufassal or even from the town, who walks into the Belvedere grounds just to see the sort of palace in which the Ruler of the Province resides. That is a curiosity which is sometimes commendable. But it is quite possible that if the man says that he came there out of mere idle curiosity, it might not be treated as a satisfactory excuse. He may have no other explanation to offer, but that he came there for the purpose of satisfying his curiosity as to how great people in high places live. I for myself plead guilty to such a curiosity, and I remember that in my younger days I entered the Government House, when the Governor General was away, just to see the sort of rooms where the high ones in the country spent their days. What we fear is this, that it will render a man liable to punishment if he enters the Government grounds not intent upon any criminal purpose. I do not possess the imagination of my hon'ble friend the Standing Counsel who seems to conjure up before his eyes pictures of men prowling about forbidden places intent upon doing serious mischief. If he will live in Calcutta, where I have lived for the last 50 years, for some time more, he will see that we will have no need of such things. As regards the objection of the Standing Counsel, I do not feel the same doubt as he feels. The matter, of course, is not of any serious nature; it is only a punishment of Rs. 20. But it is preceded by an arrest, and it means detention in *hajut* and being hauled up before a Magistrate. It may give rise to considerable irritation and suffering. I lay the matter before the Council for careful consideration."

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said :—

"The Hon'ble Babu Deba Prasad Sarbadhikari has moved that the word 'trespasses' be substituted for the words 'enters or remains' in clause (9 *now* 10) of the Bill. With regard to this matter the Hon'ble Babu Bhupendra Nath Basu in his Note of Dissent observes as follows :—

'Clause 9 (*now* 10) makes it punishable for a person to enter or remain in any private or public premises without satisfactory excuse. Instances are very

common when people, especially ignorant people from the *mufassal*, enter into public or private buildings merely as sightseers. Under the law, as proposed to be altered, these people will be liable to be arrested and punished. The present section 29 in the Calcutta Police Act makes only 'trespass' punishable. The word 'trespass' has a well-defined meaning under the Penal Code. I think the innovation which renders innocent sightseers liable to punishment is both unnecessary and undesirable.'

The clause runs thus:—

> 'Whoever, *without satisfactory excuse, wilfully* enters or remains in or upon any dwelling-house or private premises or any land or ground attached thereto, or any ground, building, monument or structure belonging to the Government or appropriated to public purposes, or any vehicle, boat or vessel, shall, whether he causes any actual damage or not, be liable to fine which may extend to twenty rupees.'

"According to the rules of grammar, which are applied for the purposes of construction of statutes, prepositions or adverbs or prepositional or adverbial phrases at the beginning of a sentence, control, qualify or restrict the meaning and scope of the whole sentence. The expressions *without satisfactory excuse* and *wilfully* qualify the import of the clause, and take the case of sightseers for the sake of curiosity out of the clause. The elements *without satisfactory excuse* and *wilfully* will be stated or implied in the charge. Although the term 'trespass' is not used, the ingredients of the offence of trespass are given, namely, entering or remaining in or upon a place or, in other words, trespass proper and trespass *ab initio* given in an extended phraseology, suitable to the tenor and terse terminology of the Indian Penal Code in section 441 thereof. In small local and special Acts, the terminology of the Penal Code is purposely avoided to make the law intelligible generally. I think that the clause might be left intact."

The Hon'ble MR. DAS said:—

"Sir, I have neither much experience of Calcutta in these matters, nor have I a fertile imagination to forecast events which may happen fifty years hence. I look at the question from a purely legal point of view. We have here a clause worded in a certain way, and we have here put before us a hypothetical case where a man ignorant of the life in Calcutta enters a place just to satisfy what has been called a rustic curiosity. It is not at all desirable that this man should get into the claws of a penal law. Well, Sir, the question is, does the amendment provide a sufficient remedy in that case? It was argued by the Hon'ble Babu Bhupendra Nath Basu that he (the rustic) had not any criminal intention. If he was brought up under a section which had the word 'trespass' in it, his intention in visiting the place would be looked into, whereas under the present clause that would not be looked into. I do not know, Sir, where it is to be found that intention is to be one of the elements of trespass. I know intention is one of the elements of criminal trespass, and there is no such thing as simple trespass defined in the Code. Criminal trespass is defined in the Penal Code. Trespass, Sir, is a very different thing, and it does not take into consideration at all the element of intention. My learned friend might have heard of the Cattle Trespass Act, but cattle have no intention. Well, then, I submit here that if the case of a rustic is to be taken into account, it would better serve his interest if the language is as little technical as possible. When a simple man is hauled up by the Police, it is much easier for him to give some 'satisfactory excuse.' Excuse has no legal meaning attached to it.

"It would be better if you give the rustic wider latitude. He would be better off under the wording of the Bill than he would be if the amendment were adopted."

[*Babu Bhupendra Nath Basu; Rai Shiba Shankar Sahai Bahadur; Babu Bal Krishna Sahai; Mr. Duke.*]

The Motion was then put and lost.

The following Motions were consequently, by leave of the President, withdrawn:—

27. The Hon'ble Babu Bhupendra Nath Basu to move that the word "trespasses" be substituted for the words "enters or remains" in lines 4 and 5 of clause 9 (*now* 10) of the Bill.

28. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the word "trespasses" be substituted for the words "wilfully enters or remains," in lines 4 and 5 of clause 9 (*now* 10) of the Bill.

29. The Hon'ble Babu Bal Krishna Sahai to move that the word "trespasses" be substituted for the words "wilfully enters or remains," in lines 4 and 5 of clause 9 (*now* 10) of the Bill.

New clause 9B.

The following motion was, by leave of the President, withdrawn:—

30. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely:—

Amendment of section 32 of the Calcutta Act and section 16 of the Suburban Act.

9B. (*1*) In the second clause of section 32 of the Calcutta Act, and in the second clause of section 16 of the Suburban Act, for the words "or other place" the words "or other such place" shall be substituted.

(*2*) In the fourth clause of the same sections, after the word "building" the words "or premises" shall be inserted.

Clause 11 (now 13).

The Hon'ble Babu Bal Krishna Sahai moved that clause 11 (*now* 13) of the Bill be omitted.

He said:—"I submit, Sir, what is wanted by the Government is sufficiently provided for by section 411 of the Indian Penal Code. I do not know that any case has been made out where the object has not been secured by this section of the Indian Penal Code. If the provisions of section 411 of the Indian Penal Code be insufficient for the requirements of the present time, I submit, Sir, that section ought to be amended, and the present clause be omitted."

The Hon'ble MR. DUKE said:—

"I observe that this amendment is moved by an Hon'ble Member who is not much in touch with the state of affairs in Calcutta. The original proposal has been brought forward at the suggestion of some of the principal associations and bodies of merchants in Calcutta, and no exception has been taken to it by any of the Members who are directly connected with Calcutta. The pilfering from goods in bulk is a nuisance which is universal in Calcutta. It has been particularly complained of by the Railways and the Port Commissioners because the goods which remain in their charge at the Docks particularly suffer from small abstractions of grain, etc. The people who steal are usually coolies or petty thieves who lurk about these places. The worst offenders are those perhaps who receive such articles. It will be found that it is dealt with in an Act which at present applies only to Howrah, but it applied at one time to Calcutta and its suburbs as well. No reason has ever been found for the repeal of this particular clause, but in the various changes of the law that took place, it appears that the clause slipped out. A new Police Act was substituted for Calcutta and for the suburbs, and in the end the section disappeared, but it has been in operation for nearly 60 years in Howrah. A cooly going with a quantity of, say, three or four seers of salt or of oilseeds or more than he would

[*Mr. Saiyid Ali Imam; Babu Deba Prasad Sarbadhikari; Babu Baikuntha Nath Sen.*]

be at all likely to require for his own use, should be asked to explain how he came in possession of such a large quantity. If he can explain, well and good, otherwise the presumption is against him."

The Hon'ble MR. SAIYID ALI IMAM said:—

"I hesitate, Sir, to give my support to this amendment on various grounds. The first ground that I have against it is that my Hon'ble friend, the Hon'ble Member who has moved this amendment and who is himself a lawyer, knows that section 411 of the Indian Penal Code raises, amongst other difficulties, the difficulty, first of all of proving that the article in question is stolen, which is differently treated in clause 11 (*now* 13) of this Bill. Sir, the thing is that in the case of anything about which there is reason to believe that it has been stolen, section 411 imposes it as a necessary condition that the prosecution must prove that the article was in fact stolen. Then comes another difficulty, and that is that the article in question was received or retained dishonestly, but then it is understood that it has got to be proved. My Hon'ble friend will therefore see that so far as section 411 of the Penal Code goes, that section has these difficulties in the way of application. As it has been put before the Council by the Hon'ble Member in charge of the Bill, in Calcutta, where I confess I have not lived for 50 years, and I can only say that I have lived here only for about five months,—and in this short time my experience has been somewhat bitter,—then, what it will be in 50 years to come if I live at all, I am not prepared quite to prognosticate—the conditions of life are different. And what happens here is this, that when that unfortunate rustic, in whose favour some Hon'ble Members very rightly and most vehemently raised the voice of protest against this being accepted, comes to Calcutta with his wife and child, for the purpose of buying things, a confederacy of three men starts with the idea of robbing this poor man of the ornaments of his child. I recite this case which was tried at the last Sessions. One of them snatches the ornament from the child's person and hands it over to another, and two of them bolt, and the third man is caught. He willingly confesses the previous convictions against him and is sent to jail, but six months after, the ornament is found with a person who cannot give a satisfactory excuse for possessing it, and this cannot be found because the rustic cannot be traced. This is the condition of life, I am sorry to say, in Calcutta. It is with the very idea of saving this very class of people like the poor rustic that this clause has been framed. Under the condition of life that goes on here, it would be impossible for those who have even small experience of this town to give their support to this amendment."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I am glad, Sir, to have at last the pleasure of opposing an amendment, and that, Sir, is considerably augmented by my being able to be at one with my friend the Standing Counsel with whom I have been lucky enough to be able to establish such friendly relations in the course of one morning that we have already had three wordy duels. If my hon'ble friend the mover of the amendment had read the clause as it stood in the July draft, he would have seen that the provision was much more drastic than it is now and the Select Committee has largely softened down its rigours. Legislation like this has been found necessary to be introduced in Rangoon and the Police have felt the want of power with which they ought to be armed. I think, Sir, the amendment ought not to be passed."

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"I stand, Sir, with your permission to make a few observations in regard to this amendment simply because it contravenes one of the first axiomatic principles of criminal law. The Hon'ble the Chief Secretary has been pleased to observe that this is an exceptional provision for exceptional circumstances. The reasons put forward may be cogent. Here at Calcutta thefts are committed by coolies and cartmen, and the owners of the stolen properties in most

[Babu Bal Krishna Sahai; Rai Shiba Shankar Sahai Bahadur; Mr. Duke.]

cases cannot be traced. The cases, therefore, fail. But the question is, will that justify the contravention of the first and elementary principles of criminal law that a man should be considered innocent until he is proved to be guilty? For this reason I think that the provision, *namely*, clause 11 (*now* 13) of the Bill, is objectionable."

The Hon'ble BABU BAL KRISHNA SAHAI said:—

"The arguments advanced by the Hon'ble the Chief Secretary rather go to support my amendment. As has been said by my hon'ble colleague to the left, it is one of the principles of law that a man is to be considered innocent so long as he is not proved to be guilty. Here the onus is turned against him."

The Motion was then put and lost.

The following motions were, by leave of the President, withdrawn:—

The Schedule.

32. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that section 59 of the Calcutta Act and section 36 of the Suburban Act be entered in the Schedule to the Bill for repeal.

New clause 11A.

33. If Motion No. 32 be not carried, the Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following clause be inserted in the Bill, namely:—

Amendment of section 59 of the Calcutta Act and section 36 of the Suburban Act.

11 A. In section 59 of the Calcutta Act, and in section 36 of the Suburban Act, after the word "gunpowder," in each place in which it occurs, the words "or any other explosive substance" shall be inserted.

Clause 12 (now 14).

The Hon'ble Babu Bal Krishna Sahai moved that the word "Inspector" be substituted for the word "Sub-Inspector" in sub-clause (*1b*) in clause 12 [*now* sub-clause (*2*) in clause 14] of the Bill.

He said:—"We have learnt from experience in the mufassal that sub-inspectors are duped in making their searches to believe that a certain offence has been committed, but it has been subsequently found that on account of their inexperience the case fails. It is, therefore, very necessary that searches should be made by experienced inspectors and not by sub-inspectors. Many sub-inspectors make grave mistakes."

The Hon'ble MR. DUKE said:—

"I regret, Sir, that this amendment cannot be accepted. As it is typical of a number of amendments which will come up as regards the powers of inspectors and sub-inspectors, I think I had better make a clear statement on the subject.

"I think that in this amendment and in other amendments of the same class the movers perhaps show that they are not fully aware of the change which has taken place in the last few years in the distribution of the Calcutta Police as between Inspectors and sub-inspectors.

"Before the days of the Police Commission, all police-stations were in charge of inspectors, and at that time there were 21 sub-inspectors, including in that number 13 of the old style of darogas, while there were about 57 inspectors, mostly in charge of police-stations. The Police Commission recommended that the officers in charge of police-stations should be styled sub-inspectors. The inspector had long been regarded as the only officer to be in charge of a police-station, and the Government were somewhat unwilling to accept sub-inspectors. Perhaps the same sort of objection occurred to them

which is being taken now that the sub-inspector was an inferior class of officer, and accordingly it was suggested that officers in charge of police-stations in Calcutta should be of the class of junior inspectors, while the inspectors were to be in charge of circles of three or four police-stations. That proposal was not accepted and from 1906 the officers in charge of police-stations in Calcutta have been styled sub-inspectors, so that whereas there were only 21 sub-inspectors before, now there are no less than 84; and while there were 57 inspectors in Calcutta, there are now only 19, of whom 11 are employed on special work of different kinds and only 8 altogether are in charge of circles, consisting of three or four police-stations. It thus appears that in fact in Calcutta the sub-inspector has succeeded to all the powers which were formerly exercised by inspectors, and furthermore the sub-inspector has been very much raised in status. At the time of which I spoke prior to 1906 an Inspector was usually taken on on an initial pay of Rs. 100; sub-inspectors in Calcutta are now taken on on an initial pay of Rs. 125 in addition to various other allowances. You will see that there is no comparison between the position of a sub-inspector in Calcutta and in the mufassal, where even now that his position has been much improved, he is still taken on on an initial pay of Rs. 50. I think it probable that this state of things has been lost sight of by the movers of other amendments on the subject. In taking this particular amendment the section provides that in the case of a search for explosives, which may be assumed to be a serious and urgent matter, the Commissioner of Police must himself hear the information and issue the warrant to search.

"I have said that there are only eight inspectors in the whole of Calcutta employed on district work, and Members may readily see that if the occasion was important and a number of searches had to be made, it would be impossible to find inspectors for this duty.

"In view of the general explanation which I have given, I think the amendment should be withdrawn."

The Motion was then, by leave of the President, withdrawn.

The Hon'ble Babu Bal Krishna Sahai moved that sub-clause (*1*) in clause 12 [*now* sub-clause (*3*) in clause 14] of the Bill be omitted.

He said:—"I beg to submit, Sir, that anyone who has experience of the mufassal must have come across many instances where even when searches have been made during the day-time, the Police have been duped in their searches by opium being thrown into the house searched, and that cases of this nature are not few."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I am sorry, Sir, that I cannot support this amendment. The matter was carefully considered in the Select Committee and a clear case was made out for investing the Commissioner with the power of having searches carried on in the night-time, which made the non-official Members give up their opposition which was no less keen to start with than the amendment now implies. Investing the Commissioner of Police with powers of search may be more objectionable in the day-time when there is a Magistrate sitting. But if the Commissioner happens to receive information after the Magistrate has risen—and I believe the Commissioner is a Magistrate himself—then there may be good reasons for having night-searches, especially during the times that we are now passing through. Therefore I think that this amendment ought not to be pressed. Of course with regard to night-searches we want protections and safeguards about which we shall presently move amendments. But this amendment by itself cannot be supported."

The Hon'ble MR. SAIYID ALI IMAM said:—

"I am very glad to stand in company with my Hon'ble friend the Hon'ble Babu Deba Prasad Sarbadhikari in opposing this amendment. It appears to me that the safeguards that have been provided in the section itself are ample against any such apprehension as the Hon'ble mover of this amendment may

[*Mr. Duke; Babu Bal Krishna Sahai; Mr. Saiyid Ali Imam.*]

have. First of all, the Commissioner of Police has to act on credible information. He has to judge of it, and he has to see for himself whether the information is one on which he can rely. Then, again, that information is to be on oath; it has then to be reduced to writing, and even after that, it is open to the Commissioner to exercise his discretion and to issue a warrant. With all these safeguards it would be rather difficult that the subordinate officers of the police would, under the circumstances, almost directly under the supervision and control of the Commissioner, possibly take upon themselves to act in the manner in which the mover of the amendment has suggested, and therefore I regret I cannot support my Hon'ble friend."

The Hon'ble MR. DUKE said:—

"I cannot agree to accept the amendment. There is no particular advantage to the Commissioner of Police in being able to order searches in the day-time because in the day-time a Magistrate can usually be found to grant the warrant. It is essentially necessary that the Commissioner should be able to issue his warrant at night also, when no Magistrate may be readily available. The section deals solely with searches for explosives, a most serious matter, and it is necessary that the Commissioner of Police should be able to order search without delay.

"The power is very carefully safeguarded, because the information must be reduced to writing, and the warrant can only issue to an officer not below the rank of a Sub-Inspector."

The Motion was then put and lost.

The Hon'ble Babu Bal Krishna Sahai moved that the following be added to clause 12 (*now* 14) of the Bill, namely:—

To each of the said sections the following shall be added, namely:—

"Every search-warrant issued under this section must disclose on its face the information on which it is issued.

"A copy of the warrant shall be given, at his request, to the person against whom the warrant is issued."

He said:—"Now that night searches have been allowed, I respectfully submit that there ought to be some provision for the safety of innocent people, and that for this reason the information on which warrant is issued should appear on the face of it, and a copy of it should be given to the person against whom the warrant has been issued."

The Hon'ble MR. DUKE said:—

"I regret that I cannot accept the amendment. It is never the practice that a search-warrant or any warrant should disclose on its face the information on which it is issued, nor that a copy should be served on the person. The warrant is an original document and can be challenged subsequently. I would draw the attention of the Hon'ble Member to the fact that all that he requires appears to be already provided by clause 6 (*now* 7) section C. The Commissioner of Police, on credible information laid before him on oath and reduced to writing,[1] may issue a warrant. That sufficiently safeguards the matter."

The Hon'ble MR. SAIYID ALI IMAM said:—

"I oppose this amendment, Sir, on the ground that such information as is contemplated here is not an information which should disclose the source from which it has been obtained. It has been repeatedly held, as my lawyer friends know, that in the case of such information as this the police-officer has got the right to refuse to let the Court know where he got his information from, and this point has been repeatedly held to be good on the ground of public policy. The ground of public policy is that information of this kind, which is confidentially given, cannot be disclosed. Care has to be taken that such information should not be given

out inasmuch as the informant would be reluctant to give the information if he knew that his name would be disclosed, and this would at once be in possession of the persons whom he charges. Therefore, under these circumstances, I should urge that on the ground of public policy, it would be disastrous to allow such an amendment to come in. As regards the contention that a copy of the warrant shall be given at his request to the person against whom the warrant is issued, I may submit that if the information is to be in the warrant and a copy of it to be given, the object of the amendment would amount to this, that on every occasion when the warrant is served the man charged should be instantly in possession of the case as it stands against him.

"This will lead probably, as far as I can judge, to a probable failure of justice inasmuch as the accused in question will instantly embark upon such a procedure as will prevent the investigation of the case against him, and the procuring of evidence."

The Motion was then put and lost.

The Hon'ble Rai Shiba Shankar Sahai Bahadur moved that the following be added to clause 12 (*now* 14) of the Bill, namely:—

To each of the said sections the following shall be added, namely:—

"Provided that, whenever the Commissioner of Police authorizes the search of a house between sunset and sunrise under the provisions of this section, he shall record his reasons."

He said:—"I beg to submit to Your Honour that searches at night are troublesome to all concerned and should not be resorted to unless necessary. The power may be given to the Commissioner of Police to search at night, but if he has to record his reasons for his action it may be some safeguard that the search at night will be made only when absolutely necessary."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"This amendment is unnecessary. Whatever safeguards can reasonably be expected will be found in section 60. If the Commissioner is obliged to record his reasons, they would be of a stereotyped order, which would not serve any useful purpose. I do not think that we ought to have or want this amendment."

The Hon'ble MR. DUKE said:—

"This is quite unnecessary. The Commissioner is to record the information on which the warrant is granted, and that contains his reasons and is just as much liable to challenge as if he had recorded separate reasons."

The Motion was then, by leave of the President, withdrawn.

Clause 13 (now 15).

The following Motion was, by leave of the President, withdrawn:—

38. If Motion No. 32 be carried, the Hon'ble Rai Shiba Shankar Sahai Bahadur to move that the following be added to clause 13 (*now* 15) of the Bill, namely:—

(2) In the same sections, for the word "four" the word "two" shall be substituted.

The Hon'ble Rai Shiba Shankar Sahai Bahadur moved that the following be added to clause 13 (*now* 15) of the Bill, namely:—

(2) In the same sections, for the word "four" the word "three" shall be substituted.

He said:—"This is a formal amendment. One section having been repealed the word 'three' should be substituted in this section for the word 'four'."

[*Mr. Duke; Babu Bal Krishna Sahai; Babu Baikuntha Nath Sen; Sir Charles Allen; the President; Mr. Das.*]

The Hon'ble MR. DUKE said :—

"I accept this amendment as a necessary correction to the Act."

The Motion was put and agreed to.

Clause 14 (*now* 16) :—

first section, sub-section (1).

The Hon'ble Babu Bal Krishna Sahai moved that the words "Subject to the approval of the Lieutenant-Governor in Council" be substituted for the words "With the previous sanction of the Lieutenant-Governor", in line 1 of sub-section (*1*) of the first section set out in clause 14 (*now* 16) of the Bill.

He said:—"This amendment relates to certain rules which are to be made by the Commissioner of Police with the sanction of the Lieutenant-Governor. I submit, Sir, that the rules so made should be laid on the table of the Legislative Council for consideration of the Members in order to enable them to give their opinions and move Resolutions. I know it will take up the time of the Council, but the question is so important that the Members should be consulted and given an opportunity of expressing their opinions."

The Hon'ble MR. DUKE said :—

"I am unable to accept this. There is not a Lieutenant-Governor in Council."

The Hon'ble BABU BAIKUNTHA NATH SEN said :—

"Legislation by rules does not commend itself to me, Sir, and is objectionable on principle. It is the delegation of the authority or the right which the Legislature has, to a single officer.

"I have the greatest respect of course for the present Commissioner of Police, whose ability perhaps cannot be questioned, but on principle legislation by rules is objectionable. It means the delegation of authority to one single individual officer of Government."

The Hon'ble SIR CHARLES ALLEN said :—

I rise to a point of order.

The PRESIDENT said:—

"I do not think that the remarks of the present speaker are out of order. I was in hopes that the Hon'ble Member would have thought it wiser not to press the amendment because it cannot have the effect that he intends, but as he has not done so, I think it best to hear what he has to say."

The Hon'ble BABU BAIKUNTHA NATH SEN continued :—

"It is on that principle that I beg to support my friend's amendment. Let not the Council be divested of its authority of having some control. It is for that reason, I think, that the amendment might be accepted."

The Hon'ble MR. DAS said :—

"What I suggest is this. Of course we can take it only as the amendment now stands, 'subject to the approval of the Lieutenant-Governor in Council.' The existing rules which regulate the proceedings of the Council now must admit, that is there must be room in them to allow, this amendment to come in. I do not think that there is anything in the rules under which the Council can now do this. Of course the Council has the power to move resolutions. How

[*Babu Bal Krishna Sahai; Babu Hrishikesh Laha; Babu Deba Prasad Sarbadhikari.*]

can the Council now, in the face of the rules as they stand, take up an amendment now in this form 'subject to the approval of the Lieutenant-Governor in Council'? This is not a matter for the Legislative Council, but for the Executive Council, and as there is no Executive Council, the matter cannot be taken up. Nor is there anything in these rules which authorise us to make the amendment so as to authorise an officer to frame rules which should be put before the Council, for the officer might not be a member of this Council."

The Hon'ble BABU BAL KRISHNA SAHAI said:—

"As there is no Executive Council in existence, the objection taken by the Hon'ble the Chief Secretary does not seem to be proper. The words clearly indicate that the Legislative Council was meant."

The Motion was then put and lost.

The Hon'ble Babu Hrishikesh Laha moved that the words "and inviting and considering public opinion thereon" be inserted after the words "previous publication" in line 3 of sub-section (*1*) of the first section set out in clause 14 (*now* 16) of the Bill.

He said:—"As the rules which will be framed by the Commissioner of Police will affect the rights of the people and will also affect trade, I think, Sir, that it is absolutely necessary that public opinion should be invited and duly considered before the rules are finally passed into law."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I am afraid, Sir, I must oppose the amendment, and I think, when I have explained my reasons, the Hon'ble Member will not press it. Section 24 of the General Clauses Act lays down the procedure with regard to the whole thing and provides for timely publication and gives opportunity for expression of public opinion and criticism in the press, which the Government may or may not give effect to. There will be no lack of opportunity for such criticism, but how far they will influence Government is another matter. Therefore what the Hon'ble Member wants has already been legislated for."

The Motion was then, by leave of the President, withdrawn.

first section, sub-section (4).

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I have carefully considered the Hon'ble Mr. Duke's observations about the harmlessness of providing maximum punishments and leaving it to the discretion of the Magistrate to deal with each case separately. With Your Honour's permission, I beg to withdraw all the amendments regarding the punishment clauses."

The following Motions were accordingly, by leave of the President, withdrawn:—

42. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "clause (*d*), clause (*e*)" be inserted after the letter "(*c*)" in line 2 of sub-clause (*i*) of sub-section (*4*) of the first section set out in clause 14 (*now* 16) of the Bill.

43. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the word "twenty" be substituted for the word "fifty" in line 3 of sub-clause (*i*) of sub-section (*4*) of the first section set out in clause 14 (*now* 16) of the Bill.

44. If Motion No. 42 be carried, the Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "clause (*d*), clause (*e*) or" be omitted from line 1 of sub-clause (*ii*) of sub-section (*4*) of the first section set out in clause 14 (*now* 16) of the Bill.

45. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "to imprisonment, with or without hard labour, for a term which may extend

[*Babu Deba Prasad Sarbadhikari; Babu Bal Krishna Sahai; Mr. Duke.*]

to eight days, or ", and the words " or to both ", be omitted from sub-clause (*ii*) of sub-section (*4*) of the first section set out in clause 14 (*now* 16) of the Bill.

46. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the word " fifty " be substituted for the words " one hundred " in line 3 of sub-clause (*iii*) of sub-section (*4*) of the first section set out in clause 14 (*now* 16) of the Bill.

section A, sub-section (1).

The following Motion was, by leave of the President, withdrawn :—

47. The Hon'ble Babu Bal Krishna Sahai to move that the word "Inspector" be substituted for the word "Sub-Inspector" in line 4 of sub-section (*1*) of the section marked A in clause 14 (*now* 16) of the Bill.

The Hon'ble Babu Bal Krishna Sahai moved that the words " either orally or ", in line 8 of sub-section (*1*) of the section marked A in clause 14 (*now* 16) of the Bill, be omitted.

He said :—" Sir, I think that in order to safeguard all concerned, the direction ought to be in writing; oral orders might be misunderstood and there will be difficulty in proving it."

The Hon'ble MR. DUKE said :—

" Out of the five sub-clauses in sub-section (*1*) of the section marked A in clause 14 (*now* 16), there are other matters in which instructions had much better be given and would ordinarily be given in writing, and in that case they would not be given by an officer of higher rank than a Sub-Inspector, but if Members would consider the whole of these sub-clauses, they will see that there are occasions when the responsible officer on the spot must do the best that he can in the circumstances, and it is therefore impossible to insist that the order shall be made in writing. If two hostile processions are about to collide, the Sub-Inspector cannot sit down in the street and write an order."

The Motion was then put and lost.

The following Motion was, by leave of the President, withdrawn :—

The Hon'ble Babu Deba Prasad Sarbadhikari to move that the words " or place of public resort " be omitted from lines 4 and 5 of sub-clause (*c*) of sub-section (*1*) of the section marked A in clause 14 (*now* 16) of the Bill.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the following be inserted after sub-clause (*c*) of sub-section (*1*) of the section marked A in clause 14 (*now* 16) of the Bill :—

> Provided that no Police-officer shall interfere with music, or the beating, blowing or sounding of any musical instrument, in any street or public place, in connection with any *bond fide* religious observance or ceremony.

He said :—" This amendment is, I think, necessary in the interest of religious performances. There are some very petty and small religious performances regarding which no licenses are generally taken out or insisted on. They are only small *kirtan* parties or small parties singing songs or carrying one or two instruments which are a part of all weddings and funerals in everyday Hindu life. With regard to these cases, I think there ought to be immunity. It is well known that the funeral of aged people is accompanied by musical parties singing religious songs, and this ought not to come under this category."

The Hon'ble MR. DUKE said :—

" I am afraid, Sir, that the amendment cannot be accepted. I quite admit, of course, that there are very many small processions with which no reasonable-minded police officer would interfere, but religious processions may be of all kinds, and in the interests of the general public and of keeping the streets free to enable traffic to pass, it is essential that the police should have some power of control.

[*Babu Deba Prasad Sarbadhikari; Mr. Duke; Babu Bhupendra Nath Basu; Mr. Saiyid Ali Imam.*]

"As regards processions with music, it is essential that they should be amenable to control, for instance, in the case of a procession with music when passing the place of worship of some other sect. There is perhaps no more frequent cause of violent disturbance in this country than that."

The Motion was then put and lost.

section A, sub-section (2), sub-clause (iv).

The Hon'ble Babu Deba Prasad Sarbadhikari moved that sub-clause (*iv*) of sub-section (*2*) of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

He said :—"These are matters both sides of which have been completely threshed out, and I do not think that I can usefully say much that is not more or less familiar to all Members of the Council. I shall not therefore take up the time of the Council by repeating those arguments and statements of facts. It is for the Council to say whether interference like this ought to be allowed in the name of public peace and safety. There may be occasions when action would be necessary, but whether the powers should be exercised it a single and overworked officer like the Commissioner of Police considers if necessary for the preservation of public peace and safety or not, is another question. We think that no occasion has arisen for investing the police officers with special powers like these and therefore it ought not to find a place in the Act, no sufficient case for it having been made out or even suggested."

The Hon'ble MR. DUKE said :—

"As to this I can only say that this is a question of public order. It may be by means of cries or by the singing of particular songs that public order is threatened. It is by such means that disturbances are most readily created, and if it is necessary to stop them the Commissioner of Police ought to have the power to do so. His power of doing so is of course merely temporary."

The Hon'ble BABU BHUPENDRA NATH BASU said :—

"I am afraid there is more in the sub clause than meets the eye. I remember an occasion, and I believe my friend the Commissioner of Police will remember it, when a memorial was submitted to the Commissioner that the Hindu funeral cry of *Haribole* should not be uttered in the streets. And I am glad to say that the Commissioner did not interfere with a time-honoured custom like that. Then, as my hon'ble friend has pointed out, in cases when old people die and are taken to the river-side, a *kirtan* party generally accompanies the corpse, and there is some sort of music and playing on the horn. They may be distasteful to some people who are supersensitive and there may be occasions when these may be prohibited. But apart from that—and I do not wish to drag that matter into prominence,—there are other cries and songs which to many of us may seem unobjectionable, but which may be reported as objectionable to the Commissioner of Police. There is indeed a remedy provided, namely, "subject to the control of the Lieutenant-Governor," but the mischief will have been done before the people have time to reach the Lieutenant-Governor, and if he happens to be at Darjeeling, the control, such as it is, will be illusory. And at the same time there are other ways in which the really objectionable cries and songs—songs which are in the nature of inciting violence or songs which may be seditious, or songs which may excite disaffection—may be stopped, and if people go on indulging in these they will be punished: the law provides for that. I am inclined to think that this sub-clause may introduce rigours when there is no sufficient justification for them. Therefore I would support my friend in asking the Council to delete it."

The Hon'ble MR. SAIYID ALI IMAM said :—

"I regret, Sir, that I cannot see my way, however much I may sympathise with the reasons urged by the Hon'ble Members, who have moved this amendment, to give them any support. With regard to the question of public interference of cries, we may borrow an instance of the recent events which

happened in Lucknow, where a great deal of disturbance was caused. We shall be satisfied in our minds that in that city, where Muhammadans live in very large numbers, two sects, viz., Shiahs and Sunnis, the entire question rested practically upon this point of the utterance of a certain cry. But this is not only the case in Lucknow, but also the same has happened in Bombay, and I am not sure if the history of Calcutta will not also disclose that the utterance of some cries has led to disturbance, whether these cries were denominational or, as my learned friends would say, patriotic. But I say, whether denominational or national, the whole of the question before the Council at present, as it stands, is—whether or not our experience tells us that in large cities feeling is created either on religious grounds or on political grounds, whether the preachings have been in a mosque or in a temple or in Beadon Square, it makes very little difference, as long as we have to judge the first issue,—has or has not in the past the utterance of such cries led to disturbances which it is the duty of the police to avoid and to put a stop to? If it is the case, it may be a very regrettable factor, but it has got to be faced, and the police on any ground of sentiment should not be deprived of control in matters of this kind, inasmuch as experience tells us that if there is any disturbance which is of the acutest kind, which leads inevitably to the commission of excesses, it is the cry which has its birth either in religious fanaticism or in patriotic origin. So in any case the first issue is, do these cries now or have they in the past given us the fear that they would lead to disturbances, and if it is so, in that case I certainly think that the Council here has got every right under these circumstances to give their support to the Bill on this point to which it is entitled, and as such I regret that I cannot stand on the same side of the house where my hon'ble friends are sitting. I must confess that I should not point in his direction because my hon'ble friend Babu Deba Prasad Sarbadhikari takes notice of such actions, and therefore, to save myself from any further condemnations, I will not look at him but from a safe distance express my regret that I cannot by any manner of means give my support to him as I would be glad to do, if I had not the example of Lucknow, and if I may also respectfully say, of Calcutta, before me."

The Hon'ble MR. DAS said:—

"My learned friend said something 'more than meets the eye.' The question before the Legislative Council when it is engaged in legislating must be one which refers to the present time and the present state of things. It is not for the Legislature to take upon itself the duties of a prophet, and say that the term of life of a particular legislative enactment should be five years or ten years. The Legislature must take things as they are, and legislate for things as they stand now. These things may change after six months and may not change for another thirty years. When there is an altered state of things it would be for the Legislature then to decide as to whether the particular enactment should continue in force or should be repealed. A good deal has been said with regard to this Bill, but there has been an attempt as it were to fight shy of the real question that ought to be before us. As a matter of fact, we are taking into consideration the recent events that have transpired within the last two or three years. Things are not now what they were when the old Police Act was passed. That is the position in which the Government (*i.e.*, the Legislative Council) finds itself. It has been said that if this Act had been passed as a temporary measure, nobody would have objected to its being passed. But the fact of its being passed does not give it a permanent lease of life. If the state of things alter hereafter, certainly the life of this Act need not be continued after that. Then the question really is this: 'Has there been an altered state of things which does justify the passing of this Act?'"—

The PRESIDENT said:—

"I am afraid the Hon'ble Member is not keeping himself within the terms of the amendment."

[Mr. Das ; Babu Bhupendra Nath Basu ; Babu Hrishikesh Laha ; Babu Deba Prasad Sarbadhikari ; Mr. Duke.]

The Hon'ble MR. DAS said :—

"The terms of the amendment are as regards *cries*, etc. I know that people when they carry the dead bodies of their relatives to the cremation or burial-grounds utter cries. The question is whether there have been cries which really require interference on the part of the Legislature, and whether, in this state of things, there is no likelihood of such cries being uttered in future, and if such cries are uttered, whether they ought to be put down. We must consider two measures—preventive and punitive. Preventive measures might sometimes work inconvenience to innocent persons. When there is a chance of an innocent man being punished, I should loudly raise my voice, but we must be prepared to sacrifice something in order to enforce preventive measures for the general good of society. I am therefore unable to support this amendment."

The motion was then put and lost.

The following motion was consequently, by leave of the President, withdrawn :—

52. The Hon'ble Babu Bhupendra Nath Basu to move that sub-clause (*iv*) of sub-section (*2*) of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

The following motion was, by leave of the President, withdrawn :—

53. The Hon'ble Babu Hrishikesh Laha to move that the words "(whether of an obscene or seditious character)" be inserted after the words "singing of songs" in sub-clause (*iv*) of sub-section (*2*) of the section marked A in clause 14 (*now* 16) of the Bill.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the words "in any public place, except in connection with *bonâ fide* religious purposes" be inserted after the word "music" in sub-clause (*iv*) of sub-section (*2*) of the section marked A in clause 14 (*now* 16) of the Bill.

He said :—"I would move this, Sir, in the interest of religious non-interference. Of course for other reasons such prohibition is necessary ; but when it is directly in connection with religious purposes, it ought to be dealt with differently from other cases. That is the reason why, although the last amendment has been lost, I venture to move this."

The Hon'ble MR. DUKE said :—

"The amendment cannot be accepted, because, in the first place, the question is not that of the place in which such cries are uttered or songs are sung, but of the effect which it will have. It is equally efficacious for the purpose of disturbing public order if the shouter or singer is out in a public road or if he is shouting or singing from a verandah adjacent to the road. I know a case where the provocation was given by shouts from within the compound of a mosque, but the effect was none the less deadly on that account.

"It would not be possible to make any exception in favour of what has been described before as religious purposes. I need not repeat what has been said by my Hon'ble friend the Standing Counsel as to the peculiar danger of shouts or songs which take place in connection with religious purposes.

"There is no doubt that a religious cry may be the most fertile source of provocation, and probably with the more religious conviction or fanaticism it is uttered with, the more dangerous it is."

The motion was then put and lost.

section A, sub-section 2(a) [now (3)].

The Hon'ble Babu Bhupendra Nath Basu moved that the words "the delivery of public harangues" in lines 4 and 5 of sub-section (*2a*) [*now* (*3*)] of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

[*Babu Bhupendra Nath Basu ; Mr. Duke ; Mr. Saiyid Ali Imam.*]

He said:—"I do not know that the word 'harangue' has anywhere received a legal interpretation. Our friend the Standing Counsel no doubt enlightened upon the point, but I have failed to find any, and I do not understand to what class of speeches this is directed to. And therefore I would venture to move this amendment, especially as I think that any single individual, whoever he may be, ought not to be entrusted with the power of deciding whether any speech delivered in public is a harangue or not, and it should not be stopped except on very clear grounds. As regards (*i*) the preservation of morality, there can be no question. But as regards (*ii*), does it mean the harangue which has not yet been delivered, and does he mean to put a stop to it in anticipation? In that case, I should like to know by what process of intuition the Commissioner is to know the nature or the character of the harangue which is going to be delivered. It is a serious thing, in my opinion, that this power should be given to the Commissioner of Police. The Phillipics of Demosthenes which have been read by successive generations of students with pleasure might be considered as harangues. I do not for a moment suppose that a Demosthenes will rise in India. I should like to know what this is meant for. I believe it means inflammatory speeches. All I want to know is how, without hearing the speeches or without having seen the draft beforehand, is the Commissioner to decide the nature or the character of the speech? It is very serious, Sir, to entrust to one single individual the power of stopping the delivery of public speeches."

The Hon'ble MR. DUKE said:—

"I am quite unable to accept the amendment and I would say about it that if the Hon'ble Member is in any doubt as to what it applied to, so far as I understand and subject to any opinions which may be given by the Law Members of this Council, I understand that the word harangue would not be applied to any speeches delivered at a public meeting. The question of dealing with public assemblies so far as this Police Act is concerned comes under section 73 of this Act.

"It refers rather to the man who takes up his position at the corner of a street where he is likely to attract a crowd, and begins to give an address in the hope of attracting one.

"I have explained that in my opinion this provision will not affect the proceedings of any persons of character and position, of any responsible persons who proceed in a regular manner, but it appears to me to be applicable entirely to the proceedings of casual tub thumpers and seekers for notoriety."

The Hon'ble MR. SAIYID ALI IMAM said:—

"So far as I have been able to find authority to give a legal meaning if there be any, to this word, 'harangue,' I must confess, Sir, that I have not been able to find any such authority, and so far as the technical aspect goes, I stand in the same difficulty that my hon'ble friend, Babu Bhupendra Nath Basu, stands in. But I must say that when in the course of the debates to-day my learned friend waxed exceedingly eloquent and supported his arguments by reference to Joan of Arc and Phillip V of Spain and after that he paid himself rather the doubtful compliment that he was haranguing this Council, I felt that my hon'ble friend was doing himself less than justice, inasmuch as harangue, whether it has or has not any technical meaning, has one clear meaning in the English language, and that meaning is that the speech in question should be of a most impassioned character without any preparation and without any degree of responsibility in its utterance. I must say that the able speech that we all heard from him to-day was certainly a speech which was devoid of all these shady characteristics, and it seems to me so far as that goes, I can say that we have never had to do in this Council with anything like that of a harangue. So far as the meaning of the word 'harangue,' as it is ordinarily understood, is concerned it has been well put and explained by the Hon'ble Member in charge of this Bill.

"Now as to the usefulness of this measure. In regard to this perhaps it will be wasting the time of the Council if I went on at any great length in pointing out how dangerous it would be to permit these public harangues. It is understood that when a speaker seizes an occasion in public gatherings, perhaps in the afternoon, in squares or public compounds where people congregate, and he gets up there and calls attention to any question of the moment or of passing political or religious phase, he obtains a notoriety of character and embarks upon a series of most impassioned, irresponsible utterances, plays upon the feelings of his audience and ends by inspiring and inciting religious or any other kind of excitement in the minds of the assemblage, invites it, as if it were, to share the same irresponsibility which he himself enjoys in his utterances. And I think such harangues in the opinion of this Council ought never to be allowed to go on in Calcutta, otherwise certainly it would be very difficult for the police to discharge its duties towards the people of Calcutta. I have heard, and I think it is true, that the records will show that on an occasion, which is certainly a religious occasion, namely, the taking away of the body of a man who was judicially found to be a murderer and executed to the cremation ground, and after which a large procession followed, there were harangues and cries all along and the procession took the body to the cremation place in a manner that would have done honour to a hero. It was nothing short of deification. That is the kind of excitement the public very easily come under the sway of everywhere, and much more so in Calcutta, and these are facts which the records show to be true. It is our business to see that such results of impassioned oratory, fearless of consequences and devoid of responsibility, do not corrupt the minds of the public. Such a thing should be put a stop to, and I submit that we have not the least doubt that in the exercise of these powers the greatest possible care will be taken. In arming the authorities with power we are not arming them with any which they do not deserve to have."

The motion was then put and lost.

The following motion was, by leave of the President, withdrawn :—

56. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the word "likely" be inserted after the word "nature" in sub-clause (*i*) of sub-section (*2a*) [*now* (*3*)] of the section marked A in clause 14 (*now* 16) of the Bill.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the words "are calculated" be substituted for the words "are likely, in the opinion of the Commissioner of Police," in sub-clause (*ii*) of sub-section (*2a*) [*now* (*3*)] of the section marked A in clause 14 (*now* 16) of the Bill.

He said :—"My reason is that something more than the mere opinion of the Commissioner should be the warrant of procedure that would be adopted under sub-section (*2a*), [*now* (*3*)], and that there should be real and tangible apprehension for the thing 'considered likely to happen.'"

The Hon'ble MR. DUKE said :—

"I cannot advise that the amendment be accepted, because after all the original order must proceed upon the information of the Commissioner and nothing else. It its after all the Commissioner who has to decide in the first instance whether the circumstances are calculated to inflame religious animosity, etc. The objection I take to the words of the amendment is that they lay him open to further dispute and contention as to whether in fact the words or representations or whatever was the subject of the order was so calculated, and I consider it entirely objectionable that any room should be left for such contention. The question is one in which for a temporary purpose the Commissioner of Police has to exercise his judgment, and no possible object could be served by subsequently taking up the matter and enquiring whether his judgment in the case had been correct or not."

The motion was then put and lost.

[*Babu Deba Prasad Sarbadhikari; Mr. Duke; Babu Bhupendra Nath Basu.*]

section A, sub-section (3) [now (4)].

The Hon'ble Babu Deba Prasad Sarbadhikari moved that sub-section (*3*) [*now* (*4*)] of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

He said:—"This sub-section is for the prohibition of any procession or public assembly for the preservation of public peace and safety. This is a very large power—a power which, as a special measure, the Imperial Legislature, after much consideration and great hesitation and to meet very emergent cases, has very recently decided upon, and with safeguards which are supposed and claimed to make it impossible for abuse. For the application of that measure, the sanction of the Imperial Government, in the first place, is necessary. Then the next authority, the Lieutenant-Governor or the Governor of a Province, who is authorized to apply that measure to the province concerned, has also to consider the matter. Then comes the Magistrate or the Collector who is the real and final administrator of that measure on the information of the police. But now all these safeguards will be done away with, and in the place of a very cautious and careful measure that has been adopted as an emergency measure, we shall have an every-day measure which will give the Commissioner of Police an authority to prevent or prohibit processions or public meetings merely if he thinks that that is necessary for the preservation of public peace or public safety. Neither in the Statement of Objects and Reasons nor in anything that we have heard in the Council to-day or in Select Committee or any of the published papers a case of justification for this large measure has been even attempted to be made out. I submit that as a Legislature we are entitled to be satisfied as to the necessity of the measure, and, I submit, that this ought to be omitted. The slight safeguard that there is in the provision that it will be subject to the sanction of the Lieutenant-Governor will not meet with the requirements of the case."

The Hon'ble Mr. Duke said:—

"I am not willing to argue this case at any length. The Hon'ble Member has said that nothing has been said either in the Council or in the Select Committee to show that any such power of prohibiting public meetings, assemblies or processions is necessary. I should be inclined to say on the contrary that the necessity was notorious, and that it perhaps has not been specially brought into prominence during the last year or two, merely because all public meetings have been prohibited in certain places at hours when they are likely to give rise to disturbance; but as to the fact that public meetings held here may under certain circumstances in times of excitement give rise to very severe breaches of the peace, there can, I think, be no doubt, and the power of prohibition ought to rest in the head of the local police. This is a power which must at times be exercised at once; and if it has to be exercised at a short notice, there is no other officer in whom it could be vested but the Commissioner. It could not be vested in the Government, who may be absent from Calcutta and not approachable within a day or two.

"I think it was the Hon'ble Babu Bhupendra Nath Basu who, in his general observations this morning, said that in England in instructions to the Metropolitan police it was expressly laid down that they had no business to interfere with political meetings, and certainly no exception could be taken to a general rule of this kind. It is certainly no part of the position of a subordinate to interfere with political meetings. On the other hand, I may remind the Hon'ble Member of cases in London, perhaps twenty years ago, when the question of the right of public meeting in public streets and squares was brought up, and where the action of the Commissioner of Police was very severely criticised. But the Judge who tried the case held that the Commissioner of Police was absolutely bound by his duty to put a stop to and prevent public meetings from taking place if they are likely to lead to serious breaches of the peace; and if he failed in his duty, he would himself be liable to prosecution."

The Hon'ble Babu Bhupendra Nath Basu said:—

"The same amendment also stands in my name. I have nearly said all that I wanted to say on this point in the general observations that I made

this morning. I must say that the remarks which fell from the hon'ble mover of this Bill have not convinced me. I can quite appreciate the solicitude of a paternal Government to remove the causes which may tend in any way to interfere with the preservation of public peace or public safety. A child who is never allowed to move about except in carriages will never learn to walk. And if we come to surrender our right of holding public meetings to the judgment of a single individual, however tried he may be, I think we shall very soon come to the state of not having public meetings at all. My hon'ble friend will admit that in this country the condition of things is not the same that prevails in England, where one political party which may be in opposition or may be in a minority may so educate the country that at no distant date it may make its opinions accepted by the country, and it may itself become the Government of the country. Here the position of things is quite different. We have on one side the bureaucratic Government, and on the other we have the people. It is not possible for the people at any time to be the Government. And the only way by which the people can hope to mitigate hardships of any measure of Government is by adopting the only constitutional remedy provided for them. that is by submitting petitions and memorials to the Government—memorials adopted either in public meetings or in Committees or by Associations. The right that has been given to the people not only is beneficial to the people themselves, but I may say is more beneficial to the rulers concerned. Because if they create a Chinese wall between themselves and the people, they will not know what is going on in the minds of the people and the result will be that they will be led into passing measures which in the end may do incalculable mischief to the Government, however powerful it might be. I say, Sir, it is very difficult and dangerous to block the operation or in any way stop the expression of public sentiment or public feeling upon any measure. This sub-section will have that effect. There may be a public measure decided upon by Government, and there may be great opposition to that measure. There may be a tremendous public feeling against that measure, anxious to express itself in public meetings and on public platforms and there may also be a feeling in the minds of those who are entrusted with the carrying out of that measure that this expression of public opinion ought to be stopped. For, gentlemen, I may remind you that it is not unknown in the history of this country that public opinion has been disregarded, and it has been suggested or alleged that that opinion does not reflect the feelings of the people but has been manufactured by wire-pullers. For these reasons I think that it is a great and serious mistake to place in the hands of the police, for their every-day and ordinary work, a power which has been placed, as has been pointed out by my hon'ble friend Babu Deba Prasad Sarbadhikari, by the Government of India in the hands of Local Governments, subject to their own supervision and control, for very special reasons and for a very limited period. My friend Mr. Das was pleased to observe earlier in the day that he had not heard of legislation for a temporary period. I may remind him that the Seditious Meetings Act was only enacted for three years; and here we are, because there have been unfortunately cases which have diverted public opinion from the real issue,—cases which we all deplore,—legislating for all time, for a considerable period at least. I say you ought not to legislate from mere panic, and legislate for a considerable time to stop the condition of things which I hope will soon pass away. You must be on your guard as regards that. The bureaucracy cannot be a popular Government in the sense that it reflects popular opinion and every act of repression helps to make it more unpopular. If you stop the expression of public opinion, and if you put the power to do so not under proper control but under the power of your higher Executive officers, who may be moved by prejudice, to whom are we to appeal? Representations from various sources to the subordinate police are oftentimes coloured by prejudice, or oftentimes moved by considerations which would have found no place in a serener atmosphere. That is the issue. The issue is not for three years only, but for a long period of time. It is not often that as the state of things for which the legislation has been introduced disappears, that legislation also disappears. The Deportation Regulation of 1818 is still in our Statute books, though the condition of things for which that regulation was enacted have long passed away. Therefore I say, in the interest of the Government itself and in the interest of the people,

stop public meetings for a time, if you please, following the precedent which has been laid down for us by the higher Council. I ask you not to pass this piece of legislation. I warn you, and I say solemnly, that I do believe that you will create a very serious amount of irritation. Have you not got the powers of section 144 of the Code of Criminal Procedure? Have you not, under that, succeeded in stopping meetings in the past, and do you expect that in the future you will not be successful in stopping meetings which ought to be stopped? If the existing law is fully sufficient, why introduce unnecessarily hard legislation for the sake of a state of things which we all hope will soon pass away."

The Hon'ble SIR CHARLES ALLEN said:—

"Sir, the last speaker has made a very vehement speech on this proposed sub-section, but I think that a little consideration will show that many of the expressions which he thought fit to use in this Council were unnecessary and uncalled for in the circumstances of the case. Now, Sir, I think I should be right in saying that a certain amount of declamation was included in his remarks. I do not propose to follow his example, and in the following observations I shall confine myself to the arguments which he brought forward. As far as I understand his argument, it is this that the unhappy state of things which now exists in Calcutta is of a momentary character, that it will soon disappear; and he suggested that this legislation would then be left high and dry, the waves of unrest which now necessitate it disappearing over the horizon. I do not know where the Hon'ble Member obtained the information which would justify this anticipation, but I am bound to say that from such knowledge as I possess of the circumstances of the present time, I am unable to take so hopeful a view of the condition of affairs in Calcutta as the Hon'ble Member has taken. But however that may be, and I am sure that every one of us will rejoice if the Hon'ble Member's anticipation proves correct, how shall we be worse off if this provision of the law is incorporated in the Statute-book, even if the Hon'ble Member is correct? If, as the Hon'ble Member prophesies, the condition of affairs materially improves in the next two or three years, there will be no occasion for the Commissioner of Police to exercise these powers, and how will any individual citizen be prejudiced by the incorporation of these powers in the Statue-book if the Commissioner of Police does not use them?

In another direction the Hon'ble Member has tried to prove rather too much. He has said that the existing law is sufficient on the subject. I think, Sir, that I shall probably have with me the sympathies of most of the Members of this Council if I enter a demurrer to that statement. Is it the case, as a matter of fact, that Calcutta has been free from mischievous meetings? No fair-minded man can assert this, and surely the presumption is that the authorities would have stopped such meetings, if they had had the power to do so. The fact is that the existing law is cumbrous and inefficient, and it is therefore necessary to equip the hands of the Government with power in the shape of this provision of the law, to stop such meetings as may be calculated to cause a breach of public order.

The Hon'ble Member has dilated upon the great hostility which the enactment of this sub-section will produce in Calcutta. I am not prepared to accept this view, as I am not aware that any such hostility has been produced by the anticipation of this legislation. There have been criticisms upon it, but there is nothing published or has been brought to our notice of the degree of hostility with which we have been threatened by the Hon'ble Member. Moreover, Sir, I do not think that this Council will be deterred from doing what is obviously its duty by any such threats. I think, Sir, that the necessity for this special legislation has been adequately proved, and that the Council will find no difficulty in passing it into law, and I hope that they will do so."

The Hon'ble MR. DIP NARAYAN SINGH said:—

"I have just one word to add to what has already been said in supporting the amendment of my hon'ble friend Babu Deba Prasad Sarbadhikari. The Hon'ble Sir Charles Allen has brought forward the argument that because

some dangerous meetings have been held in Calcutta, therefore it is necessary that we should have the clause under discussion included in the Bill that we are considering. I, on the contrary, am of opinion, Sir, that several meetings have been stopped recently for fear of public disturbance, which, in the opinion of the public, need never have been stopped at all; and that this fact lends colour to the fear that similar innocent meetings will be interfered with under this clause in the future. All repressive measures, Sir, have generally both good and evil in them. It is for the Members of this Council to weigh the good and the evil therein and give their judgment accordingly. This sub-section, which allows the executive head of the police to stop any public meeting at will, may, I grant, in certain cases, do some good; but, I submit, that the very idea that the citizens' right of holding public meetings is being tampered with will make this clause intensely unpopular. This sub-section, I am sure, will produce a great amount of irritation and, in passing it, you will be laying the foundation for further discontent. I feel I am in duty bound to oppose this sub-section, and I appeal to the Hon'ble Members to support the amendment."

The Hon'ble MR. DAS said:—

"It has been said by my friend the Hon'ble Babu Bhupendra Nath Basu that certain acts of the Indian Viceroy's Council were passed for a short period. I should only draw the attention of the Council to the fact that the Commissioner of Police, the nightmare that frightens everybody, has not the power to stop public meetings for more than seven days. If he acts beyond that, he must have the sanction of the Lieutenant-Governor. The Hon'ble Babu Bhupendra Nath Basu and the Hon'ble Babu Deba Prasad Sarbadhikari who have just spoken said that they would certainly support the necessity of putting down meetings, when they tend to bring about an unhealthy state of things I am sure I am speaking out the feeling of every one, official or non-official, that there have been events which ought not to have found a place in the history of Calcutta.

"The question before us is, what are we to do in the meantime? Of course the police might abuse their authority, the people might also abuse their privilege of having meetings. Now, which is likely to conduce to the good of the people? If two thousand people meet and they cannot make a right use of their privilege—the right of all civilized nations to hold public meetings and give expression to their opinion as is done elsewhere, what is the result? Do they not themselves lose this right? You go to hold a meeting and there you abuse each other or break each other's head. What is the result? There is no meeting, no unanimity and no practical good. We ought to learn and adopt methods which will secure the benefits which public meetings have secured in other countries.

"I cannot hope to come up to that mark of eloquence which I was noticing in the speech of my hon'ble friend Babu Bhupendra Nath Basu, but I yield to none among my countrymen in my wish to enjoy the right of public speech, but then let us not hold meetings so as to place ourselves in such a political situation that the right of speech might be taken from us for ever or might produce results injurious to us."

The Hon'ble MR. SAIYID ALI IMAM said:—

"Sir, in the course of the debate to-day, my hon'ble friend, Babu Bhupendra Nath Basu, spoke rather despairingly of the prospect of India having a Demosthenes. I think the example that we had to-day from him leaves among us, Indians, that hope still very much alive. For, I may point out, that if the eloquent speech which we have heard to-day would be argument enough to give support to the proposition, I feel assured in my mind that this amendment that has been proposed would have been willingly accepted by the Council. But I hold to the view that eloquence, however good a quality it may be, generally, is mostly practised for the art of obtaining the wrong verdict. I think in that way the Hon'ble Babu Bhupendra Nath Basu to-day has certainly surpassed himself, if not in the result, at any rate in the effort. What has been put before the Council to-day? If we take away the element of eloquence, what is there in the shape of strong, substantial, cool, calculated reasoning in the objection that has been put forward to this particular part of the Bill? What has been put forward is this. This is a

[*Khan Bahadur Maulvi Sarfaraz Husain Khan.*]

repressive measure. But is it repressive in the character in which my learned friend's eloquence has attempted to clothe it? I emphatically assert before this Council that it is not. My Hon'ble friend suggested that if this Bill is passed, or if the Council accepts this provision, there will be repression and that discontent would be driven inwards which would be a very deplorable state of things, and in that case I should have withheld my support, but I emphatically say that it will not. The dreaded Commissioner of Police has not been given absolute authority in respect of this matter. The discontent of people, even in Calcutta, I venture to submit, may wait for the small period of seven days to see what is behind or what is beyond it. If the Commissioner of Police wrongly exercises his power, his power can be exercised only for a week, and surely after that time, the natural leaders of the people can approach the Lieutenant-Governor for redress, and ask the intervention of the fountain head of authority for the holding of a meeting of a good quality,—that is all we desire in this country.

"Does the Bill aim at repression of the aspirations of the law-abiding citizens? Certainly not. It aims at the reduction of the chances of spreading discontent that emanates from seditious motives. It attempts to restrict the spread of the poison that has affected the attitude of mind of some of the youthful sections of the public. I ask the Council and Hon'ble Members whether or not the freedom to hold public meetings and processions has not been abused in the past. I ask are there not indications that such a freedom will be abused in the future. Has not Beadon Square oratory much to account for the difficulties of the present situation in Bengal? I as an Indian have to hang my head down in shame that I should ask for the deprivation of the right of the people to hold public meetings and processions without let or hindrance. But every lover of India will agree with me, demanding as I am measures to restrain the public from abusing the privileges and prerogatives, that true citizenship should always guard against falling into the hands of agitators and unscrupulous demagogues. As has been wisely pointed out by the Hon'ble Member on my left (Mr. Das), we are face to face with this problem. So long as we have no assurance as to the future in the interest of India we must curtail the popular freedom. Sir, under the circumstances, I cannot give my support to the amendment."

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said:—

"The Hon'ble Babu Bhupendra Nath Basu says:—'Sub-sections (2), (2*a*) [*now* (3)] and (3) [*now* (4)] of section A in clause 14 (*now* 16) of the Bill give the police power in regard to the rights of the public to hold meetings and processions which may lead to a practical denial of such rights. The clauses give the police powers to stop processions, meetings, speeches, public utterances of cries, singing of songs and playing of music, in fact they clothe the police with power to stop every variety of public demonstration. Apart from the unwisdom of such a drastic provision, it is a serious invasion on liberty of speech and on the right to hold public meetings.' Like an able Counsel he has shown one side of the picture. Reading the above one feels shocked. He feels he is doing a very wrong act—an act of a heinous social crime, that of interfering with the individual liberties of his countrymen. But gentlemen of the Council will please place before them the other side of the picture also. The loss of the lives of two innocent ladies at Muzaffarpur, causing a life-long domestic gloom in a family, the attempt at the lives of an admittedly ideal Viceroy, and a good-natured, kind-hearted Lieutenant-Governor, the murder of a popular District Officer, the murder of two men doing their official duty, the issue of seditious pamphlets and a deliberate attempt to overthrow the Government, and at least to embarass it, to intimidate persons in the discharge of their legitimate duties and in the expression of their honest, independent opinions, makes one's blood boil. How, gentlemen of the Council, I ask you in all seriousness, will you feel when you place this side of the picture before your mental eyes, and seriously ask the question: 'what is the Government to do under the circumstances—what you yourselves as good citizens ought to do?' I leave the matter to you. Think, consider and decide whether you are to strengthen the hands of Government in knocking that conspiracy on the head, of which one of the outward manifestations [illegible] of the foul deeds above referred to. I simply

appeal to your patriotism; you are councillors, and you know your duties and responsibilities."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"Reference has been made, Sir, to the London Police. It does not appear to be a very relevant reference, for we must remember that we have not the London Police here. Apart from that, I must point out that the Metropolitan Police Act (section 54 of 2 and 3 Vict., c. 47) does not contain anything with regard to the right of public meetings. Of course so far as commons are concerned, there is a prohibitory provision; but that is on the proprietary question as will appear from the well-known case of De Morgan *v.* The Metropolitan Board of Works. The matter was fully gone into in this case, in course of which the question of holding public meetings came up incidentally, and the question was decided on proprietary grounds. In the same way as there is no right of public meetings in Royal Parks, the square meetings referred to by my hon'ble friend may come somewhat under that category. These provisions, however, do not touch the general right of public meetings in the way that this Bill proposes to circumscribe. The summary power like that contained in this Bill finds place nowhere in the Metropolitan Police Act. In England, Magistrates have to proceed in the usual way on Police representation and proper proof upon which the likely offenders are bound over to be of good behavour, if there is likelihood of a breach of the peace. There the Police have no summary powers as are provided in this Bill as will appear from the cases of *Wise* v. *Denning* on 1902 and *Beatty* v. *Gilbanks* in 1882."

A division was then taken with the following result:—

Ayes—5.	*Noes—36.*
The Hon'ble Babu Bhupendra Nath Basu.	The Hon'ble Mr. F. A. Slacke.
„ „ Deba Prasad Sarbadhikari.	„ „ W. C. Macpherson.
„ Maulvi Saiyid Muhammad Fakr-ud-din.	„ „ D. J. Macpherson.
	„ „ F. W. Duke.
	„ „ A. S. Thomson.
	„ „ A. Earle.
„ Babu Baikuntha Nath Sen.	„ Sir Charles Allen.
„ Mr. Dip Narayan Singh.	„ Mr. T. Butler.
	„ „ H. Wheeler
	„ „ W. R. Gourlay.
	„ „ Saiyid Ali Imam.
	„ „ E. P. Chapman.
	„ „ G. W. Küchler.
	„ „ L. F. Morshead.
	„ „ S. L. Maddox.
	„ Nawab Saiyid Muhammad, Khan Bahadur.
	„ Mr. F. L. Halliday.
	„ Maharaja Sir Prodyot Kumar Tagore.
	„ Sir Frederick Dumayne
	„ Kumar Shiba Nandan Prasad Singh.
	„ Sir Bijay Chand Mahtab, Maharaja Dhiraja Bahadur of Burdwan.
	„ Maharaj-Kumar Gopal Saran Narayan Singh.
	„ Babu Kirtanand Sinha.
	„ Mr. J. G. Apear.
	„ „ J. C. Shorrock.
	„ „ W. J. Bradshaw.
	„ „ Ghulam Husain Kasim Arif.
	„ Dr. Abdullah-ul-Mamun Suhrawardy.
	„ Mr. Saiyid Wasi Ahmad.
	„ Maulvi Saiyid Zahir-ud-din.
	„ Mr. T. R. Filgate.
	„ Rai Shiba Shankar Sahai Bahadur.
	„ Mr. Madhu Sudan Das.
	„ Khan Bahadur Maulvi Sarfaraz Husain Khan.
	„ Babu Braja Kishor Prasad.
	„ Rai Krishna Sahai.

So the motion was lost.

[*Babu Bhupendra Nath Basu; Babu Deba Prasad Sarbadhikari; Mr. Duke; Mr. Halliday.*]

The following motion was consequently, by leave of the President, withdrawn:—

59. The Hon'ble Babu Bhupendra Nath Basu to move that sub-section (*3*) [*now* (*4*)] of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

Section A, sub-section (3) [now (4)], line 2.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the words "procession or assembly in any public place" be substituted for the words "procession or public assembly" in line 2 of sub-section (*3*) [*now* (*4*)] of the section marked A in clause 14 (*now* 16) of the Bill.

He said:—"In this amendment, Sir, I merely ask what has already been conceded in the case of assemblies, and I urge that processions in places other than public places should not be prohibited. I do not know whether that is the intention or not, because processions are held in private places, such as in the compound of the Shobha Bazar Rajbati and other large places in Calcutta, processions of a religious or social type which are intended to be excluded by my amendment. I plead, Sir, that processions may be similarly dealt with as assemblies and that public processions only ought to come under this category."

The Hon'ble MR. DUKE said:—

"I am afraid that I cannot accept this. As far as I remember when the clause was framed, the idea in Select Committee was that a procession must necessarily sooner or later go into a public place, but the critical point is not where the procession or assembly is held, but whether it has any of the risks which the clause is intended to avoid.

"The point is as to whether or not it is necessary that a provision should be made for the preservation of the public peace. It does not matter where the procession is or where the assembly is, if the public peace there should be threatened. If there is any apprehension of a breach of the peace, prohibition is equally required, whether the assembly is in a public place or not."

The Motion was then put and lost.

The following Motion was, by leave of the President, withdrawn:—

61. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the word "five" be substituted for the word "seven" in the proviso to sub-section (*3*) [*now* (*4*)] of the section marked A in clause 14 (*now* 16) of the Bill.

Section A, sub-section (4) (now 5).

The Hon'ble Babu Bhupendra Nath Basu moved that sub-section (*4*) [*now* (*5*)] of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

He said:—"I do not intend to make any further observations with regard to this amendment. It relates to temporarily preserving streets, public places, etc.—a thing which has been done by the Presidency Magistrates without any difficulty. Sir, I notice with great pleasure a departure from the old days. I have been in the former Council for a fairly long time, and I have always found the Legal Member, who was then the Advocate-General, confine himself to the legal aspect of the questions only. But I am glad to find our new Standing Counsel dealing with questions of policy and throwing considerable light on them. I do not wish to say anything more."

The Hon'ble MR. HALLIDAY said:—

"I am afraid I do not understand the objection to this sub-section. There is nothing behind it at all. It obviously has nothing more in it than meets the eye. But it has been necessary from time to time in Calcutta to reserve portions of the public places and streets for special purposes, usually ceremonial purposes, say during the arrival of distinguished personages, for instance, that

of His Royal Highness the Prince of Wales. All this may require the closing of a particular street or public place, and the Commissioner of Police is usually the official to arrange all this. He requires power under the Act to enable him to set aside certain streets and to make certain rules and regulations, for which the provisions of this sub-section are necessary."

The Hon'ble BABU BHUPENDRA NATH BASU said:—

"Having regard to the observations of my hon'ble friend the Commissioner of Police, I beg to withdraw the amendment."

The Motion was, by leave of the President, withdrawn.

Section A, sub-section (5) [now (6)].

The following Motions were, by leave of the President, withdrawn:—

63. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the word "fifty" be substituted for the words "one hundred" in line 3 of sub-clause (*i*) of sub-section (*5*) [*now* (*6*)] of the section marked A in clause 14 (*now* 16) of the Bill.

64. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "to imprisonment, with or without hard labour, for a term which may extend to one month, or" and the words "or to both" be omitted from sub-clause (*ii*) of sub-section (*5*) [*now* (6)] of the section marked A in clause 14 (*now* 16) of the Bill.

65. If Motion No. 62 be carried, the Hon'ble Babu Bhupendra Nath Basu to move that the words "or sub-section (*4*)" [*now* (*5*)] in sub-clause (*i*) of sub-section (*5*) [*now* (6)] of the section marked A in clause 14 (*now* 16) of the Bill be omitted.

66. If Motion No. 59 be carried, the Hon'ble Babu Bhupendra Nath Basu to move that the words "or sub-section (*2a*)" [*now* (3)] be substituted for the words "sub-section (*2a*) or sub-section (*3*)" [*now* sub-section (*3*) or sub-section (*4*)] in sub-clause (*ii*) of sub-section (*5*) [*now* (*6*)] of the section marked A in clause 14 (*now* 16) of the Bill.

section B.

The following Motion was, by leave of the President, withdrawn:—

67. If Motion No. 59 or Motion No. 62 be carried, the Hon'ble Babu Bhupendra Nath Basu to move that the necessary consequential amendments be made in the section marked B in clause 14 (*now* 16) of the Bill.

section C, sub-section (1).

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the words "serious disorder or" be omitted from lines 1 and 2 of the section marked C in clause 14 (*now* 16) of the Bill.

He said:—"If this is done, police interference will be limited to where there is real danger. The question of order, Sir, arises in many assemblies, including this and the Imperial Legislature. And sometimes we are apt to get disorderly—and sometimes seriously disorderly. If an official comes in in the shape of the local policeman, while a meeting is in progress and is getting a little lively without exactly getting out of hand, it would be considered as a serious interference. Of course when there is danger, the same observations do not apply. What is serious disorder or not, may depend upon different points of view. A meeting may be noisy and loud, and therefore may appear to be disorderly to the police, while it is really not so. Disorderliness is not necessarily an appendage of political meetings only. Religious meetings and meetings of worthy and reverend pundits, and even examiners' meetings have sometimes been known and reported to be so disorderly that free use of invectives have been known. It would be a pity to allow the police to interfere in matters like these, and I do not think that is the intention of the framers of this section that that should be done. An official chairman in the shape of the interfering policeman—a sort of a second Richmond in the field—would be intolerable and undesirable. I therefore move, Sir, that these words be omitted."

[*Sir Charles Allen; Babu Deba Prasad Sarbadhikari; the President; Mr. Duke.*]

The Hon'ble SIR CHARLES ALLEN said :—

"I do not think that the Hon'ble Member has fully appreciated the gravity of the phrase 'serious disorder.' Serious disorder means something of a serious nature which causes a breach of the peace. The Hon'ble Member seems to think that what is referred to is merely a breach of the rules of business. I am sure that he does not mean that he would like meetings to break up in serious disorder with the Commissioner of Police unable to stop this disorder. This may be the result if his amendment is carried. I would suggest to him in the light of these remarks that he would do well to withdraw this amendment."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said :—

"When there is real and serious disorder likely to lead to a breach of the peace I have no objection to the police interfering. But merely for the purpose of 'preventing' serious disorders which may mean anything, and in the name of keeping order the police ought not to have the power of entry or interference. Of course if the disorder is imminent, then the question of interference may arise even if the organisers do not call in police aid. But things cannot be anticipated; disorder may arise by the very police interference which seeks to prevent. I did not mean to object to this clause with regard to only technical points of order. I have known cases where real disorders have arisen and have disappeared of their own accord. My hon'ble friend Babu Bhupendra Nath Basu knows even of social meetings, the Kayastha Samaj meetings and such like gatherings where disorders have been very serious, but have very peacefully settled down. Therefore unless disorder is imminent and serious, police interference ought not to come. If people who organise meetings and cannot keep order and if they require police assistance they ought to have it. Organisers of meetings by their action make themselves responsible for keeping the peace and they ought to be trusted and allowed to do so in their own way."

The PRESIDENT said :—

"Does the Hon'ble Member really desire that, if there were serious disorder, the police would have no power to interfere? That would be the effect of the amendment of the Hon'ble Member."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said :—

"I have considered the matter carefully, and I would be prepared to concede."

The Motion was then, by leave of the President, withdrawn.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the words "or imminent" be inserted after the word "serious" in line 1 of the section marked C in clause 14 (*now* 16) of the Bill.

He said :—

"In moving this I have the high authority of Sir Charles Allen in my favour. Sir Charles Allen has conceded that we ought not quietly to stand aside while serious disorder is 'imminent' and I would not like to quarrel with this proposition. But I would like to allow interference if such disorder was not imminent and that is what my amendment seeks to provide, and if the disorder be not really serious police interference ought not to be allowed. I go with my hon'ble friend to the extent that he thus claims and I ask that the words 'or imminent' may be added."

The Hon'ble MR. DUKE said :—

"I fear that I am not able to understand the use of the word here; as far as I see nothing would be gained by importing the word 'imminent.' For if the disorder is already serious, it is surely more than imminent."

[*Babu Deba Prasad Sarbadhikari; Babu Bal Krishna Sahai; Babu Bhupendra Nath Basu; Mr. Halliday.*]

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I should like to say, Sir, that what the Hon'ble Member in charge of the Bill has said has strengthened my position. If we were called upon to provide against breach of the peace I should have nothing to say against the clause. But as it is, the clause gives great power in the hands of inspectors or sub inspectors of police. The recent history of public meetings in England shows that there are things that would not weigh with the authorities there and if very much less than that is aimed at here it would be really regrettable and undue interference with public liberty. Therefore we ought to be very careful as to how we allow this. The Chief Secretary does not seem to be inclined to stop mere 'cat calls' and 'howlings' but they may appear very offensive to the delicate police ears and may amount to disorderliness warranting and demanding interference. It is a pity and regret that public meetings and public places of amusement have all been mixed up under one and the same category which weakens our position. What may be allowable, may be necessary in the case of the latter and may be inexpedient and undesirable in the former case. The two situations ought to be differentiated and suitably treated."

The Motion was then put and lost.

The following motions were, by leave of the President, withdrawn:—

70. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "or at any assembly or meeting to which the public are invited or which is open to the public" be omitted from lines 4 to 6 of the section marked C in clause 14 (*now* 16) of the Bill.

71. If Motion No. 70 be not carried, the Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "to which the public have access without special invitation or without cards" be substituted for the words "to which the public are invited or which is open to the public" in lines 5 and 6 of the section marked C in clause 14 (*now* 16) of the Bill.

72. The Hon'ble Babu Deba Prasad Sarbadhikari to move that the words "not below the rank of Inspector" be substituted for the words "superior to that of Head Constable" in lines 7 and 8 of the section marked C in clause 14 (*now* 16) of the Bill.

73. The Hon'ble Babu Bal Krishna Sahai to move that the words "superior to that of Sub-Inspector" be substituted for the words "superior to that of Head Constable", in lines 7 and 8 of the section marked C in clause 14 (*now* 16) of the Bill.

The Hon'ble Babu Bhupendra Nath Basu moved that the words "not below the rank of Sub-Inspector" be substituted for the words "superior to that of Head Constable", in lines 7 and 8 of the section marked C in clause 14 (*now* 16) of the Bill.
He said:—

"Would it not be possible to substitute the words "not below the rank of sub-Inspector"? I appeal to the Hon'ble Member in charge not to entrust so much power in the hands of the subordinate police officers. As regards places of public assembly it would be safeguarding the interest of public peace if the police officer in charge is not below the rank of Sub-Inspector."

The Hon'ble MR. HALLIDAY said:—

"The intention of this clause is to enable the European sergeants of police to act on occasions. They are above the rank of head constable, but below that of sub-inspector, and I think that in Calcutta where they are very largely used in theatres and places of public amusement and entertainment they should be given the power to intervene."

[*Babu Bhupendra Nath Basu; Babu Deba Prasad Sarbadhikari; Mr. Duke; Babu Bal Krishna Sahai.*]

The Hon'ble BABU BHUPENDRA NATH BASU said:—

"But if you give powers to the police officers not below the rank of Sub-Inspector would he not be able to employ European sergeants? He would have to be assisted by other policemen under him. All that I was aiming at was that the sergeants or whoever they may be, should act under an officer not below the rank of Sub-Inspector."

The Motion was then, by leave of the President, withdrawn.

section C, sub-section (2).

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the words "whenever it becomes necessary to do so" be added at the end of sub-section (*2*) of the section marked C in clause 14 (*now* 16) of the Bill.

He said:—

"This amendment, Sir, really follows up what I have been trying to explain to the Council in connection with section C (*1*) in clause 14 (*now* 16) and I hope it will be accepted because this interference ought not to begin before there has been made out a clear case for such interference. Unduly 'previous' appearance and interference of the police aggravates the situation that might have improved if left to itself for things settle down quick enough if left alone where ordinary disorderliness is all that troubles a meeting. A zealous police officer armed with powers like these, rushing in may oftener than not make the posture of affairs acute and impossible. Great restraint has therefore to be exercised."

THE HON'BLE MR. DUKE said:—

"I do not think that the words which it is proposed to add to the rule supply anything to the meaning. The police should have free access for the purpose of giving effect to the provisions of the sub-section. That I take it means that there must be some reasonable prospect of carrying out that purpose; if so, it seems to me that the words are somewhat superfluous."

The Motion was then, by leave of the President, withdrawn.

Clauses 16 and 17 (*now* 21 and 22).

The following Motion was, by leave of the President, withdrawn:—

76. The Hon'ble Babu Bal Krishna Sahai to move that the words "not below the rank of Sub-Inspector" be inserted after the words "any Police-officer" in line 6 of clauses 16 and 17 (*now* 21 and 22) of the Bill.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that the following be added to the section in clause 21 (*now* 27) of the Bill, namely:—

or shall be dealt with in such other manner as may be provided in the said warrant.

He said:—

"Here at all events I ought to be able to score. What I ask for is, that when a search-warrant like that rightly provided here is executed, the person found should not be uniformly taken before the Magistrate. In the Statement of Objects and Reasons reference is made to a case of females whose case may be reported at night to the Commissioner and whose immediate release may be necessary. There is another class of cases which has happened frequently of late and that is where angry fathers or annoyed husbands have applied for the production of their wives or daughters and the warrants have had to be executed with humiliating results, that the demented parties could never have bargained for. That a *pardanashin* lady according to the terms of the warrant that seeks her good in the shape of liberation from undesirable custody, must be taken before the Magistrate when the search warrant is executed, would in some cases be perfectly intolerable. I am aware of cases like these in respectable families in which there has been great difficulty and in one case that I can recall to mind a respectable and well placed father whom his worthless

son-in-law was hounding out of spite had to get influential people to go and see the authorities to save the family from humiliation. Ladies of respectable families should not be taken before the Magistrate under such circumstances unless there be reason to do so. The cure would be worse than the disease and when all is said and done the party applying for the warrant and seeking his ward's liberation is truly sorry that he ever moved. It is really for her benefit that the search takes place. It will disgrace the family in the eyes of society and the results would be very deplorable indeed. There may be of course cases in which the object of the search ought to be taken before the Magistrate. But there are cases also where they ought not to be. I therefore move that the words 'or shall be dealt with in such other manner as may be provided in the said warrant' may be added to this section. If it is a case for taking before the Magistrate, the party concerned will be taken before the Magistrate. But the Magistrate or the Commissioner in the special circumstances of the case ought to have the power and discretion to direct release or detention of the person or of such other treatment as in the special circumstances of the case may appear to be fitting. If this is done it would not hamper or harm the search and would not be considered as an act of regrettable interference."

The Hon'ble MR. HALLIDAY said:—

"I fear, Sir, that if the suggestion made by the Hon'ble Babu Deba Prasad Sarbadhikari, were followed, greater hardship would result in a greater number of cases than in those he contemplates. I think it would be a dangerous procedure for a Magistrate or myself to be able to direct on a warrant that A should be taken from the custody of B and made over to C without having seen that person at all."

The Motion was then, by leave of the President, withdrawn.

Clause 22 (now 28).

The following Motion was, by leave of the President, withdrawn, namely:—

78. The Hon'ble Babu Bal Krishna Sahai to move that the words "not below the rank of Inspector" be inserted after the words "in the town of Calcutta," in lines 2 and 5 of the section in clause 22 (*now* 28) of the Bill.

Clause 22A (now 29).

The following Motions were, by leave of the President, withdrawn, namely:—

79. The Hon'ble Babu Deba Prasad Sarbadhikari to move that after the words "respectable persons", in line 3 of sub-section (*1*) in clause 22A (*now* 29) of the Bill, the following be inserted, namely:—

of the locality in which the place to be searched is situated.

80. The Hon'ble Rai Shiba Shankar Sahai Bahadur to move that after the words "respectable persons", in line 3 of sub-section (*1*) in clause 22A (*now* 29) of the Bill, the following be inserted, namely:—

of the locality in which the place to be searched is situated.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I wish to withdraw this amendment having regard to what the Hon'ble Mr. Halliday told me, that there are sometimes difficulties in getting search witnesses and the search might be indefinitely postponed if what I ask for were to be insisted on, namely, that the search witnesses should be respectable people of the neighbourhood. It is suggested that respectable neighbours are often averse to get themselves mixed up in these matters and the police are obliged to make what arrangements they can."

[*Babu Bal Krishna Sahai; Mr. Duke; the President; Babu Deba Prasad Sarbadhikari.*]

The Hon'ble Babu Bal Krishna Sahai moved that after the words "respectable persons", in line 3 of sub-section (*1*) in clause 22A (*now* 29) of the Bill, the following be inserted, namely :—

other than Police-officers.

He said :—

"What is intended by the amendment is that respectable persons other than Police officers should be taken as witnesses. I think it is a mere omission."

The Hon'ble MR. DUKE said :—

"I submit, Sir, that the Council would make itself ridiculous by accepting this amendment. At present there is no law in Calcutta which requires police witnesses to be taken to searches at all. But the police take them to protect themselves, and to obtain the confidence of the Courts in their searches. I do not suppose there is a single instance of a Police officer being quite so mad as to produce another Police officer as a witness to a search. I think the Hon'ble Member should withdraw the amendment."

The PRESIDENT said :—

Does the Hon'ble Member wish to press his amendment ?

The Hon'ble BABU BAL KRISHNA SAHAI said :—

"There is no harm in making the clause as clear as possible."

The Motion was then put and lost.

The Hon'ble Babu Deba Prasad Sarbadhikari moved that after sub-section (*3*), in clause 22A (*now* 29) of the Bill, the following be inserted :—

(*4*) When a search is to be made on any premises between sunset and sunrise,—

(*a*) the officer making the search shall see that proper and adequate arrangements are made for lighting up the premises before the search is commenced, and

(*b*) the search shall be made by an officer not below the rank of Inspector, and in the presence of not less than three respectable persons, one at least of whom must be approved by the occupant of the premises.

He said :—

"Here, Sir, I plead for a little light and I take it as rather a good omen that the Council Chamber has just now been beautifully lit up. Sufficient lighting arrangements are I think necessary when a search takes place at night. In the present circumstances, I think it is necessary to have one or two protections of the kind I venture to suggest. There have been complaints that the subordinate police have sometimes conducted themselves in connection with searches in a way which the persons affected have not quite appreciated though in most cases searches have been conducted with courtesy and consideration and without much cause of grievance or complaint. Of course these grievances will always be, but if a night search takes place and proper arrangements for lighting are not made the grievances will be more frequent. And I ask that the number of witnesses should not be less than three and one of these at least should be approved by the persons most affected, though I have given up the provision about respectable witnesses of the neighbourhood. With these precautions and safeguards the night searches may be less objectionable."

The Hon'ble MR. DUKE said :—

"I sympathise entirely with the view of the Hon'ble Member in desiring such precautions; but I think if he will consider the matter, he will agree with me that it is really impossible to introduce them into the substantive law.

The first thing that an officer should desire in conducting a search is good lighting, so that his search may be thorough, and that he may not overlook anything or not be deceived in any way; and when he comes to produce the results of his search in Court, if it is proved that he searched without sufficient light, and that it was possible for his men or for other persons to introduce articles into the house owing to the darkness, his search will have a very poor chance of satisfying the Court, and will probably be noticed as having been ill-conducted. That a Police officer should try to get the best light he can for the success of his own work, is only natural, but to lay it down in the law that he must provide light is another matter altogether. Night-searches are always more or less emergent searches, and they must be carried out as best they can at the time. If an electric installation is not available, the officer may have to do the best he can with candles or whatever may be on the spot, and it is impossible to introduce into the law a provision which might result in the search not being carried out or in its being delayed, until fatal mischief has been done. For these reasons, I cannot accept the provision."

The Motion was then put and lost.

Clause 4.

The Hon'ble Mr. Duke moved that the words "every public building and monument and the precincts thereof" be substituted for the words "the precincts of every public building or monument" in the definition of "public place" in clause 4 of the Bill.

He said:—

"Sir, before moving the next motion which stands in my name that the Secretary be directed to renumber the clauses, etc., I wish with your permission to move a small amendment of form. That the words 'every public building and monument and the precincts thereof' be substituted for the words 'the precincts of every public building or monument' in the definition of public place in clause 4 of the Bill. The matter is purely formal, and the only object is that exactly the same wording may be used in clause 14 (*now* 16), first section, sub-clause (*f*), and in clause 14 (*now* 16), section A (*1*) (*e*), that is to say in sections 62 and 62 A of the Act."

The PRESIDENT said:—

"The amendment proposed is consequential and one of form only."

The Motion was put and agreed to.

The Hon'ble Mr. Duke moved that the Secretary be directed to re-number the clauses and sub-clauses of the Bill in consecutive order, and to make corresponding alterations in all cross-references thereto.

The Motion was put and agreed to.

The Hon'ble Mr. Duke moved that the Bill, as settled in Council, be passed.

He said:—

"Sir, So much has been said about the Bill, that I propose to say no more upon the general merits of the subject; but I desire to congratulate the Council on the fact that this measure which has been under consideration for over eight months has at last been brought to a successful conclusion. Throughout it has received the greatest attention and excited much interest, and I think it has been passed in a form in which it will be a useful addition to the statute-book. Particularly, I would congratulate the Council on the care and attention which have been given to the provisions of the Bill in the debate to-day, and on the spirit in which that debate has been carried on."

[*Mr. Apcar; the President; Maharaj-Kumar Gopal Saran Narayan Singh.*]

The Hon'ble MR. APCAR said:—

"I have not taken an active part in the discussion generally, or any of the provisions of the Bill, because I felt the manner in which the honourable member the Chief Secretary had met my proposals had made it unnecessary for me to intervene in these debates to-day, and I have been reluctant to occupy the time of the Council without a specific object in view. But there is one point, about which I desire to ask Your Honour whether I shall be in order, if I refer to it. Your Honour has been informed that the point would be raised. The Hon'ble the Standing Counsel said in one of his speeches that he would deal with the question of the constitution of the Council, but he has not pursued the subject. The matter is of considerble importance, and, I think, attention should be drawn to it, because, if the Council is not properly constituted, it would not have authority as a Legislature to make laws. I refer to the omission to appoint the Advocate-General as a Member of the Bengal Council.

The PRESIDENT said:—

"That matter which the Hon'ble Member was good enough to mention to me privately before the meeting of the Council, does not arise out of the Motion which is before the Council. I am therefore unable to agree that it is in order."

The Hon'ble the MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH said:—

"Your Honour,—This Bill has been before the Council since last year. The country is to no small extent indebted to Your Honour for having allowed it to stand over until the Council had been enlarged and reconstituted. On the formation of the new Council the Bill was entrusted to a new sub-committee, and it is the report of the second sub-committee that we are considering to-day. Thus the Bill has been before the country for a considerable period of time and has received a full measure of consideration from all quarters.

"My Hon'ble friend, the Member for the University, has appended to the Report a Note of Dissent of rather portentious dimensions. As becomes the erudite constituency he represents, he raises high questions of jurisprudence which are extremely interesting and which I have no doubt will prove useful, but which to a lay mind present a somewhat curious resemblance to some of the learned disquisitions of the philosophers of the school of *Nayaya* as to whether fire was the cause of smoke or smoke the cause of fire.

"The Hon'ble Babu Bhupendra Nath Basu notes that with the omission of what was called the *indemnity clause*, and the insertion of section C, clause 6 (*now* 7), two of the most objectionable features of the Bill have been removed. But he is solicitous specially for the ignorant people from the mufassal who may enter private or public buildings and thus get into the clutches of the law. I have not the advantage of being a lawyer like my Hon'ble friend, but as a mere mufassal man I venture to point out that even an ignorant mufassal man is generally able to give a satisfactory account of why he goes to any place; anyhow such is the case in Bihar.

"My Hon'ble friend is further afraid that the provisions of the Bill amount to a denial of the right of public meeting. This is a very grave matter, and I deeply sympathize with my friend's forebodings, but my fear is that a situation of an exceptional character has been created by what has been happening of late in our midst, and I cannot withhold my support of this part of the Bill. The Government, I am sure, will withdraw the measure as soon as the necessity for it does not any more exist.

"Turning to the Report itself, I beg to offer my congratulations to the Hon'ble Members of the sub-committee who have taken such pains over this Bill on the happy termination of their labours. They have presented to us an almost an unexceptionable report of an intricate and momentous measure. In their Report they have embodied to no small extent such part of the public

criticism of the measure as was really relevant and not unsuited to the occasion.

"The Bill, to me, seems to be meant to carry out work of a twofold nature, namely (1) to meet the present ferment and (2) to carry out the ordinary police administration of the metropolis and its ever-increasing suburbs. The amendments that have been moved in this Council to-day mostly refer to the former part of the measure, and in this matter I beg to remind my Hon'ble friends of the unusual situation which exists and which, I am certain, they deplore as much as the Government. The Government propose this measure as their contribution to the solution of the problem. There may be doubts as to its efficiency. But we need not condemn the measure before it has had a fair trial.

"Some of the amendments proposed by the Hon'ble Members are of the nature of making explicit the intentions of the Government, and these, I feel certain, have received favourable consideration. As to the others which aim at changing the whole nature and scope of the measure, I trust my Hon'ble friends are not surprised that treatment other than favourable has been meted out to them. The times are exceptional, and the remedy has to be sharp and drastic. But with a ruler so sympathetic to our hopes and aspirations as your Honour is, I have no hesitation in recommending this Bill to the acceptance of my Hon'ble friends."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I have had the misfortune of having made myself responsible for much of the delay and length of procedure that has attended the passing of this measure: and I naturally feel some hesitation in speaking at this late hour of the day, or more correctly speaking of the night. Moreover, I feel sore and bruised like one who has lost heavily in the fray. But triumphs and defeats are alike in the day's work and one must take them both as they come. Now, Sir, that the affray is over, I feel it my duty to respond as I readily respond to what the Hon'ble Member in charge has said in acknowledging the spirit in which the combat here and in the Select Committee has been carried on. In making that acknowledgment we have also to acknowledge as I acknowledged this morning that we had nothing but courtesy and consideration all along. I have had the satisfaction of scoring an important point to which it would not be right to refer with exultation considering the way in which the Hon'ble Member in charge has chosen to put it and considering also that he and other official Members have been good enough to befriend us here without which we could not possibly have succeeded. That we have not scored more heavily is not due again to the official Members alone. Amongst ourselves, the non-official Members, we have differed much. I do not regret it and to-day's proceedings have been an object lesson that will be alike puzzling and instructive. With regard to many matters that I was pressing on the Council I flattered myself that I was voicing public opinion and I never thought my horizon was so circumscribed as the event has proved. The assembled representative of the province have seen fit to vote in a way that must dispel many an old illusion and we must rearrange ideas, take fresh bearings of the situation and marshal our forces and organise our resources anew. Mutual consideration has fortunately been a marked feature during the debate of the first contested measure that has come before this Council, and there has been no non-official combination, such as might be said to affect the new reform scheme prejudicially, which may be considered to be satisfactory so far. Our loss has been due to causes that cannot be attributed to official Members and if we are sadder we are wiser as well. We have taken much from the Bombay Act in the new Police Bill and I may remind the Council that on the very same day that the Bombay Act received the assent of the Governor General in Council was also appointed the Police Commission. We can only hope that the passing of this Bill will also be the signal for more real police reform. Some strange coincidences strike me. It is remarkable that this Bill should be passed just on the eve of the departure of the Hon'ble Member

in charge of the Bombay Bill for England. By a strange coincidence too which I have been unsuccessfully trying to fathom and explain, the Hon'ble Member in charge of the Bill and the Hon'ble the Police Commissioner who has been associated with him in the passage of this Bill are both on the eve of their departure to enjoy a well-earned rest. The Member in charge of the Bombay Bill was felicitated by his non-official colleagues on the Bombay Council on the manner in which he had done his work and I do not think we can do any less. I also take this opportunity of expressing my appreciation for the good feeling, consideration and courtesy that have been shown to us throughout and we wish them a happy voyage home and a safe return."

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said :—

"At the conclusion of the debate to-day I rise to support the motion of the Hon'ble member in charge of the Bill that the Bill as settled by the Council be passed.

"Far be it from me to wish or to attempt to stifle individual liberty or to aim at retarding the development of the national life of the Indians, and I will be a traitor to my country if I so desire. But the present political condition is such that I have to accord my support to the Bill not with the view of causing hardship to any individual or community or to give offence to any section of my countrymen or to hurt the feelings or wound the susceptibilities of anybody, but with the object of serving the interests of the people, in the interests of peace, progress and law, and from the deep conviction that when the Bill will be passed into law it will vest such power in the executive as will enable them to deal successfully with the situation.

The reasons for my supporting the Bill are—

(1) In 1866, when the Calcutta Police Act was passed, there was no unrest and political conspiracy. Now we have political crimes of a most heinous character committed, and the Acts and measures of Government are subjected to hostile criticism both from the plat-form and the press.

(2) No Government can work without power to back it.

(3) Maliciously inclined people will feel discouraged only when they are in constant fear of being arrested and their attempts foiled.

(4) Owing to the acts of violence that have unfortunately created the unpleasant situation that has been condemned throughout India from one corner of it to the other and by all sections of the Indian community, it is just and fair now to give increased powers to the Police which they want to enable them to root out conspiracy which is a source of public danger.

(5) The exigencies of the time are such that the Hon'ble Mr. Gokhale had to support the Press Act, however objectionable it had been to him.

(6) I have a deep conviction of the truth in the saying of the Persian adage :—

'Those who keep their accounts clear care not for their auditors.'"

The Hon'ble MR. SAIYID ALI IMAM said :—

"I wish to say a word by way of personal explanation with reference to what has fallen from the Hon'ble Babu Bhupendra Nath Basu, who has considerable experience of the history of this Council. He drew pointed attention to the fact that the Legal Member of this Council who was before me, the Advocate-General, did not enter into discussion of questions of policy, but absolutely limited himself to his own work, *i.e.*, the legal aspect of the questions taken up. I may be allowed to submit to the Council that by virtue of my position I have taken part in the political discussion to-day because I did not know that there was any such restriction imposed upon me, and that

when I accepted my office I did it with the knowledge that I was in no way restricted in my privilege to take part in the discussions that take place apart from any questions that may from time to time arise of a purely legal character."

The Hon'ble BABU BHUPENDRA NATH BASU said :—

"I wish to speak a few words in connection with a reference that I made. I do not think that there is any statutory provision prohibiting the Advocate-General or the Standing Counsel from taking part in the debates of this Council. Formerly the Legal Member did not as a rule take part in the debate; and I only mentioned that there was a departure from the established custom. I did not mean to make any reflection on the Hon'ble Member; if what I said was taken in that sense I withdraw unreservedly. As regards the Bill itself, I associate with my friend Mr. Sarbadhikari in acknowledging our gratitude, our warmest gratitude, to the official Members for the consideration that they have shown us both here and in the Select Committee; and if we have been defeated I take that defeat as cheerfully as I would have taken a victory. Right and justice must in the end triumph and that is the hope of the Indian reformer."

The PRESIDENT said:—

"Gentlemen, I desire to compliment the Hon'ble Member in charge of the Bill on the success with which he has conducted the discussion and also on the approaching completion of his labours. I desire also to associate myself with everything that fell from him when he congratulated the Hon'ble Members of Council, both non-official and official, on the spirit with which they had conducted this somewhat lengthy debate. In particular I should like to express my acknowledgments of the kindly remarks which have fallen from the Hon'ble Babu Bhupendra Nath Basu and the Hon'ble Member for the University. It is on these gentlemen that the brunt of the opposition has fallen, and I am sure that the official Members of Government could have wished no opponents more worthy of their steel. The proceedings have been enlivened by a little sparring between the Hon'ble Member for the University and Hon'ble the Standing Counsel; but this has always been conducted in the most friendly spirit possible, and I think it may be welcomed as affording an answer to the charge which is sometimes brought against us, that our proceedings are inclined to be dull. Notwithstanding the large number of amendments which were tabled most of which I am glad to say the Council have not been able to accept, I think we may take it that the Bill has passed the Council with virtual unanimity. At first I was going to say that there was an exception to the general unanimity on one point, *viz.*, in regard to the clause which empowers the Commissioner to prohibit public meetings. But I then remembered that we had taken a division on that clause, and that only 5 Hon'ble Members, out of a total of 41 were in favour of omitting it, while no less than 36 members, or more than seven times as many voted in favour of giving the power. Therefore, it may fairly be claimed that this clause forms no exception to the general unanimity with which the Bill has been accepted. I hope that the Bill will prove a practical success in the police administration of the town and the suburbs and I feel quite certain that the apprehensions which were expressed some months ago regarding it will prove in practice to have no foundation whatever.

The Motion was then put and agreed to.

The Council was then adjourned to Monday, the 5th April, 1910, at 11 A.M.

CALCUTTA, F. G. WIGLEY,

The 16th April, 1910. *Secretary to the Bengal Legislative Council.*

B. S. Press.—19-4-1910—770—400—W. M. D.'C. and others.

Abstract of the Proceedings of the Bengal Legislative Council, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Tuesday, the 5th April, 1910, at 11 A.M.

Present:

THE Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President*.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble Mr. F. W. DUKE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. A. EARLE, C.I.E.

The Hon'ble SIR CHARLES ALLEN, KT.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. SAIYID ALI IMAM.

The Hon'ble MR. E. P. CHAPMAN.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. F. L. HALLIDAY, M.V.O., C.I.E.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble BABU KIRTANAND SINHA.

[*Mr. Slacke; Maulvi Saiyid Muhammad Fakr-ud-din.*]

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR.

The Hon'ble MR. MADHU SUDAN DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAI.

THE BENGAL CESS (AMENDMENT) BILL, 1910.

The Hon'ble Mr. Slacke moved that the Report of the Select Committee on the Bill further to amend the Cess Act, 1880, be taken into consideration.

The Motion was put and agreed to.

The Hon'ble Mr. Slacke moved that the clauses of the Bill be considered in the form recommended by the Select Committee.

The Motion was put and agreed to.

New clause 3A.

The following Motion was, by leave of the President, withdrawn.

87. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that the following clause be inserted in the Bill, namely:—

3A. In sections 12 and 13 of the said Act, for the words "five years" the words "ten years" shall be substituted.

Amendment of sections 12 and 13.

The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din said:—

"Sir,—The amendment of these sections do not form the subject-matter of the present Bill; but as the Cess Act itself was under consideration, I thought it better to propose the amendment of these two sections as the practical experience of our part of the Province showed that a revaluation used to take place after 10 years. Since I proposed these amendments, I have consulted some of my hon'ble colleagues and especially the Hon'ble Rai Shiba Shankar Sahai Bahadur, who has given me to understand that there are some jungly tracts in the Southal Parganas and the Bhagalpur and Chota Nagpur Divisions

[*Babu Bal Krishna Sahai; Maulvi Saiyid Muhammad Fakr-ud-din; Mr. Slacke*]

where the lands are settled temporarily for five years on a nominal rent which increases after five years, and that there will be loss of revenue to the Road Cess Fund if the term is changed into ten years. In these circumstances, I think it would be wiser on my part to withdraw this amendment."

Clause 5.

The following Motion was, by leave of the President, withdrawn.

88. The Hon'ble Babu Bal Krishna Sahai to move that clause 5 of the Bill be omitted.

Clause 6.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN moved that the following be added to section 22 in clause 6 of the Bill, namely:—

> Provided that no such action shall be taken without giving notice to the person who made the return and allowing him an opportunity to prove that the return is not false.

He said:—

"This amendment seems rather important. Hitherto the Collector had power to make a re-valuation of his own in cases where false returns were filed. But he could only do this after securing a conviction under section 94. I submit that the amendment is not only necessary in the interests of the Road Cess Fund and the landlords but also in the interests of public policy. Section 22 as now proposed gives power to the Collector to determine the valuation whenever he is satisfied that the return is false, but unfortunately there is no provision laid down in the proposed section to give the maker of the return an opportunity of proving that the return is not false, or that the return is not incorrect or untrue.

"Under section 94 of the Cess Act there was a guarantee for a judicial opinion as to the truth or otherwise of a return filed by the landlord. But now under section 22 of the Act the landlord has to bow down to the *ex parte* declaration made by the Collector that the return is false. It may be contended that the landlord will have a right to prefer an appeal against the valuation made by the Collector, but there is no appeal provided against the declaration made by the Collector, and, moreover, the appellate authority will have no materials on the record to determine in favour of the landlord.

"Sir, it is but fair that the maker of the return be given an opportunity of showing that the return filed by him is not false. Hence I propose that the amendment suggested by me should be accepted by the Council."

The Hon'ble MR. SLACKE said:—

"I am prepared to accept the amendment provided the Hon'ble Member is willing that in lieu of the word 'false' the words 'incorrect or untrue' be substituted, these being the words that are used in the draft itself."

The Motion was then put, with the substitution of the words "untrue or incorrect" for the word "false" and was agreed to.

The following Motions were, by leave of the President, withdrawn.

Clause 7 (now 8) :—*

section 37A.

90. The Hon'ble Babu Bal Krishna Sahai to move that the words "the Board of Revenue may, if they think fit, order that" in lines 2, 3 and 4 of section 37A, in clause 7 (*now* 8) of the Bill, be omitted.

* The clauses and sub-clauses of the Bill having been re-numbered under the direction of the Council, the present number of each clause and sub-clause is inserted in brackets, wherever the new numbering differs from the old.

[*Maulvi Saiyid Muhammad Fakr-ud-din; Babu Bal Krishna Sahai.*]

91. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that the following be added after the proviso to section 37A (*2*) in clause 7 (*now* 8) of the Bill, namely:—

> Provided that the levying of the cesses under a valuation roll prepared by the Settlement Officer shall not take effect till the valuation roll has become final.

section 37C.

The following Motion was, by leave of the President, withdrawn.

92. The Hon'ble Babu Bal Krishna Sahai to move that the following be added to section 37C in clause 7 (*now* 8) of the Bill, namely:—

> Where a record-of-rights has already been prepared, the valuation-roll shall, in the case referred to in clause (*a*) of this section, be corrected by the Settlement Officer according to the income shown in the record-of-rights.

section 37G.

The following Motions were, by leave of the President, withdrawn.

93. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that the words "sixty days" be substituted for the words "one month" in section 37G (*2*) in clause 7 (*now* 8) of the Bill.

94. The Hon'ble Babu Bal Krishna Sahai to move that the words "the Collector and then a second appeal to the Commissioner" be substituted for the words "such authority as the Local Government may, by rule, prescribe," at the end of section 37G (*2*) in clause 7 (*now* 8) of the Bill.

95. The Hon'ble Babu Bal Krishna Sahai to move that the words "the Board of Revenue" and "them", respectively, be substituted for the words "Commissioner" and "him" in section 37G (*3*) in clause 7 (*now* 8) of the Bill.

new section 37J.

The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din moved that the following be inserted after section 37-I in clause 7 (*now* 8) of the Bill, namely:—

> 37J. Every valuation roll finally prepared and adopted under this Chapter shall, in all proceedings between landlord and tenant, be evidence of the matters referred to therein, and shall be presumed to be correct until the contrary be proved.
>
> Effect of valuation roll.

He said—

"In the new section 37C, sub-clause (*b*), as it stood before the amendment made by the Select Committee, it was provided that the valuation of *bhaoli* lands was to be determined by the Settlement Officers either by inquiry or by local inspection, or such other means as the Board of Revenue may prescribe in that behalf. The Bihar Landholders' Association suggested that after the word 'inquiry' the words 'from holders of estates and tenures' be added. But I find that instead of adding these words the Select Committee have omitted even the words 'inquiry or local inspection.' We have now to depend upon the rules which are yet to be framed by the Board of Revenue for the determination of the annual value of *bhaoli* lands. Now these Settlement Officers have power to commute rents under section 40 of the Bengal Tenancy Act, and under the provisions of Chapter IIA, they will proceed to prepare a valuation roll after determining the annual value of *bhaoli* lands, and most probably by local inspection of the produce or by making inquiries from the zamindars or from tenants as also from the neighbouring people. Then in that case the valuation roll should be given some evidentiary value. The Settlement Officers prepare a valuation roll to-day for the purpose of assessment of cess. To-morrow when they receive petitions under section 40 of the Bengal Tenancy Act, they ought not to disregard the valuation roll for the purpose of commutation of rent and proceed to determine another valuation roll. They ought not to be allowed to say that what I did was with reference to the

assessment of cess, but to-day I am going to make another assessment for the purposes of commutation or rent.' Under section 40 of the Bengal Tenancy Act, this would not be the sole basis to go by, but under all the circumstances this would be the best piece of evidence because, under section 40, the Settlement officers or the Revenue-officers have got power to look to the annual value of the lands for the ten years preceding the period of the application, and the valuation roll prepared for the purpose of assessment, will be evidence at least for one year. Besides this will be very good data to proceed upon. If the tenant comes and says that he pays two rupees per bigha, but the valuation roll which is prepared for the purpose of assessment shows 20 rupees per bigha, I think that the statement would not at all be believed by the Settlement Officers, and similarly any such statement made by the zamindar will not be accepted. I never intended to contend that this valuation roll would be conclusive evidence, but when the Settlement Officer prepares a valuation roll after making full inquiry and after making a local inspection this should be taken as one of the best evidences to test the truth or otherwise of the allegations of the landlord and tenant. In these circumstances, I beg to submit that the insertion of this clause is essentially necessary in the interest of the landlord. Of course some of my learned friends are under the misapprehension that I intend to tie down the hands of the zamindars, but far from that idea, I simply submit that this valuation roll will receive some evidential value in all subsequent proceedings between landlords and tenants. Therefore, there need not be reasons for any apprehension arising in the minds of my hon'ble friends. With these remarks I beg to submit that the amendment proposed by me may be accepted by the Council."

The Hon'ble Mr. SLACKE said:—

"I am unable to advise the Council to accept this amendment. As it stands, the hon'ble mover proposes that the presumption he refers to shall attach to the whole valuation roll not merely with reference to *bhaoli* matters. The valuation roll is based on the entries made in the survey and record-of-rights with regard to which this very presumption holds. It is therefore needless to propose that a similar presumption should attach to the valuation roll, as that is drawn from a document with regard to which the same presumption exists. If on the other hand the hon'ble member wishes to confine his amendment to *bhaoli* matters only, it is not worded with that view at all. I would suggest to the hon'ble member that this amendment may be withdrawn on the understanding that the matter is circulated amongst district officers and associations with a view to eliciting their opinions upon the hon'ble member's views. Without that it seems to me very dangerous to advise the Council to listen to his proposal."

The Motion was then, by leave of the President, withdrawn, on the understanding that a reference would be made to Commissioners of Divisions and Landholders' Associations as to the propriety of making the proposed amendment at some future time.

New clause 7-I.

The following Motions were taken together, namely:—

97. The Hon'ble Rai Shiba Shankar Sahai Bahadur moved that the following clause be inserted in the Bill, namely:—

Amendment of section 41.

7-I. After clause (2) of section 41 of the Cess Act, 1880, the following shall be inserted, namely:—

"Provided as follows:—

(*a*) the Collector, with the previous sanction of the Board of Revenue, may at any time declare, by order in writing, that any holder of a tenure shall pay the said amount direct to the Collector and not to the holder of the estate within which the land held by him is included;

(*b*) when any such order is made, the Collector may recover the said amount under the provisions of this Act, in the same manner and under the same penalties as if the same were payable by a holder of an estate; and the said amount shall be deducted from the amount payable by the holder of the estate under clause (*l*) of this section; and

(*c*) the Collector, with the sanction of the Board of Revenue, may at any time revoke any order made under proviso (*a*), after giving notice of such revocation both to the holder of the estate and to the holder of the tenure affected."

98. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that the following clause be inserted in the Bill, namely:—

7-I. After clause (*2*) of section 41 of the Cess Act, 1880, the following shall be inserted, namely:—

Amendment of section 41.

"Provided as follows:—

(*a*) the Collector, with the previous sanction of the Board of Revenue, may at any time declare, by order in writing, that any holder of a tenure shall pay the said amount direct to the Collector and not to the holder of the estate within which the land held by him is included;

(*b*) when any such order is made, the Collector may recover the said amount under the provisions of this Act, in the same manner and under the same penalties as if the same were payable by a holder of an estate; and the said amount shall be deducted from the amount payable by the holder of the estate under clause (*l*) of this section; and

(*c*) the Collector, with the sanction of the Board of Revenue, may at any time revoke any order made under proviso (*a*), after giving notice of such revocation both to the holder of the estate and to the holder of the tenure affected."

The Hon'ble RAI SHIBA SHANKAR SAHAI BAHADUR said:—

"I would refer the hon'ble members to Papers No. 5, which is a report from the Commissioner of the Tirhut Division, in which he has referred to some previous correspondence between the Collector of Patna and the Hon'ble Board of Revenue, ending in a promise made by the Board of Revenue to consider the matter of the amendment of section 41 when the Act was being amended.

"The whole scope of the Cess Act fixes the liability of the different holders of the different interests in the land separately. The Collector fixes the amount separately which the zamindar, tenure-holder and raiyat has to pay. But as a convenient and less expensive mode of realization, section 41 of the Act provides that instead of realizing the cess from the zamindar, tenure-holder and raiyats separately, the zamindar has to pay all cess due from all persons holding lands comprised in his estate, to the Collector, and he will realize from his tenants such portion of the cess for which they are liable under the Act.

"The Council is aware, and it is now an established law, that the demand for cess is not a charge on the estate, but is considered to be a personal debt of the zamindar.

"All cess payable by the zamindar, therefore, even though payable by his tenure-holder, is the personal debt of the zamindar and can only be recovered as such, and the estate for which the cess is payable is not liable. In other words, if you sell the estate for recovery of cess, you sell it subject to all encumbrances and sell only the rights, title and interest of the zamindar.

"The rigid provision of section 41 that the cess due from the tenure-holder can only be recovered from the zamindar, coupled with the law that only the right, title and interest of the zamindar can be sold, has produced a state of affairs not anticipated by the framers of the Act.

"Some zamindars fraudulently and some by sheer necessity have given *mokurari* leases of their estates on a nominal rental either *benamee* or *bonâ fide* on taking large bonus. In such cases by the arrangement between the zamindars and the *mukurariders* the revenue and cess is payable by the *mukurariders*.

[*Mr. Slacke.*]

"The *mukuraridars* pay the revenue, as by its non-payment the estate can be sold free of all encumbrance and with the estate the *mukurari* right also passes.

"They do not, however, pay the cess, as by not doing so they do not incur any penalty or loss. The worst that can happen to them is that the Collector may sell the estate subject to his *mukurari* rights. The Collector cannot realize the cess by the sale of the zamindar's estate, which in such cases is almost valueless and cannot fetch a proper price.

"If the Collector had power to realize the cess payable by the tenure-holder direct from him this difficulty would have disappeared.

"It is true that the Collector can proceed under section 99 of the Act and recover the arrears, but the objection to such a procedure is twofold: first, it is a cumbrous procedure, and, secondly, it causes hardship to the raiyats of the estate. The Collector has under this section power to realize rent not only due to the tenure-holder, who is at fault, but from his tenants who are innocent, leaving them to bring suits and recover it from their superior landlords.

"It is therefore necessary to relax the rigid rule laid down in section 41 that the cess primarily due from tenure-holders can be realized from the zamindar and the zamindar alone.

"I am sorry that the Hon'ble Maharajadhiraja Bahadur of Burdwan thinks that this amendment may affect the zamindars, but I do not think that there is any foundation for his apprehension, because from the zamindar's point of view this would be an improvement in the law. In those cases in which the profits of the landlord as compared with the cess the tenure-holder has to pay, is very small—sometimes I know the cess is four times as much as the rent he receives—it will be a relief to the zamindar if the cess is realized directly from the tenure-holder.

"The amendment gives power to the Collector, with the previous sanction of the Board, to make exception in some cases, so that instead of realizing the cess from the zamindar he can realize from the tenure-holder. The provision that this exception can be made only with the previous sanction of the Board is a guarantee that no misuse of the power can be made. We have further provided that in case the order has been passed and exception made if it has subsequently not proved satisfactory the Collector can revert to the old state of things with the sanction of the Board.

"There is no intention to make any large use of this power, but its object is only to relax the rigidity of section 41 and make exception in such cases only where it is absolutely necessary to prevent hardship, or where there is an attempt to defraud the Collector or put difficulty in his way to recover the cess due."

The Hon'ble MR. SLACKE said:—

"I admit, Sir, that the adoption of this amendment would benefit certain zamindars in Bihar and would also assist the Collector of Patna, but the amendment as it is drafted is not confined to Bihar only; it extends to the whole province, and I have reason to believe that certain zamindars who hold estates outside Bihar have reason to fear that the adoption of this amendment would be prejudicial to their own interests, and I cannot satisfy myself that their fears have not some substratum of fact. The matter has not been considered by Landholders' Associations nor Collectors generally, but I would suggest to the Hon'ble mover of these amendments that they should withdraw them on the same understanding as that which was given to the Hon'ble mover of item No. 98, namely that this matter should be brought to the notice of Associations and Collectors and their opinions taken as to the practicability of the proposal."

The Motions were then, by leave of the President, withdrawn on the understanding that a reference would be made to Commissioners of Divisions and Landholders' Association as to the propriety of making the proposed Amendments at some future time.

[*Maulvi Saiyid Muhammad Fakr-ud-din; Mr. Das; Mr. Slacke; Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan.*]

Clause 9 (now 15):—

section 72A (1).

The following Motions were, by leave of the President, withdrawn.

99. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that the word "five" be substituted for the word "fifty" in line 9 of section 72A (*1*) in clause 9 (*now* 15) of the Bill.

100. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that the following proviso be added to section 72A (*1*) in clause 9 (*now* 15) of the Bill, namely:—

"Provided that the fine shall in no case exceed fifty rupees."

101. The Hon'ble Maulvi Saiyid Muhammad Fakr-ud-din to move that for the words "and the fact of an appeal against such fine being pending shall not avail to prevent the levy of any such fine pending the disposal of appeal, unless the Commissioner otherwise directs," in section 72A (*2*) in clause 9 (*now* 15) of the Bill, the following be substituted, namely:—

unless an appeal against such fine is pending, in which case the Collector shall not levy the fine.

Clause 12 (now 18).

The following Motion was, by leave of the President, withdrawn.

102. The Hon'ble Mr. Das to move that the following be added at the end of clause 12 (*now* 18) of the Bill, namely:—

To the same section the following shall be added, namely:—

"Provided that, when a valuation has been made by the Collector under section 22, the appellant may show in such appeal that the ways and means adopted by the Collector for ascertaining and fixing the valuation were not proper and reasonable."

The Hon'ble Mr. Slacke moved that the Secretary be directed to re-number the clauses and sub-clauses of the Bill in consecutive order, and to make corresponding alterations in all cross-references thereto.

The Motion was put and agreed to.

The Hon'ble MR. SLACKE moved that the Bill, as settled in Council, be passed.

The Hon'ble SIR BIJAY CHAND MAHTAB, Maharajadhiraja Bahadur of Burdwan said:—

"Your Honour,—Before the Bill is passed, I wish to make a few observations. First of all, I wish to thank the Hon'ble Mr. Slacke for the courtesy shown to us in the Select Committee of which body I was a member, and also for the consideration that he has shown by inserting clause 7A (*now* 9.) This clause is new, it gives statutory effect to a circular of the Board of Revenue directing that half of the assessment payable to the panchayat under Part II of the Village-Chaukidari Act, 1870, shall be deducted from the assessment made under the Cess Act of 1880 on lands transferred to the zamindars under that Part. Certain difficulties had been felt as there was no proper direction on this point, and I am certain that this insertion will be of the greatest help to the zamindar. Then again, by the insertion of clause 8C (*now* 14), another great difficulty will be removed. This clause is also new. It was inserted because it was represented that holders of an estate or tenure were often unable to give a specification of rent-free lands, and it seemed sufficient to require them to make a statement of quantity or description as entered in the Collector's valuation roll. Now, Sir, there remains one other matter that was mentioned by the British Indian Association in connection with the question of keeping separate accounts for cesses payable by co-sharers. This

does not affect me personally, but there is no doubt about the fact that co-sharer landlords have great difficulties under the present arrangement. We have, however, been kindly permitted by the Hon'ble Mr. Slacke to bring this matter to the notice of the Government hereafter through the Association in the same way as two matters that my hon'ble friends Maulvi Saiyid Muhammad Fakr-ud-din and Rai Shiba Shankar Sahai Bahadur will bring to the notice of the Government, the amendments of which have been withdrawn to-day on that understanding. I am sorry, I could not give my support, for various reasons, to the amendment that has just been withdrawn and which was proposed by the Hon'ble Rai Shiba Shankar Sahai Bahadur. I am all the more sorry as the Hon'ble Rai Bahadur with his valuable experience of large zamindari management was a great help to us in the Select Committee. But there are certain defects in the amendments which may not appear as defects on the surface, and that is the reason why I have had to withhold my support, as difficulties might have arisen, if the amendments had been accepted in their present form. Moreover, Sir, I think that when an amendment is brought forward which does not affect the whole province, there is no reason to legislate such a measure, as in the present case only one Collector has brought to our notice the inconveniences felt by the cumbrous procedure of section 99. I thank Mr. Slacke for having given us time to consider the matter and also for consenting to refer it to all Commissioners and Collectors in the Province for opinion. With these few words, Sir, I beg to support the Bill as amended in the Select Committee."

The Motion was then put and agreed to.

The PRESIDENT said:—

"The Council is now adjourned *sine die*. I take this opportunity of thanking all the Hon'ble Members for their attendance and the valuable assistance which they have given to us, and I trust that they will enjoy the holiday which they are going to have for the next three months."

The Council was then adjourned *sine die*.

CALCUTTA;
The 16th April, 1910.

F. G. WIGLEY,
Secretary to the Bengal Legislative Council.

R. S. Press—18-4-1910—100J—400—E. J. H.

Abstract of the Proceedings of the Bengal Legislative Council, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Tuesday, the 30th August, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President*.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble MR. E. V. LEVINGE.

The Hon'ble MR. A. S. THOMSON.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. H. L. STEPHENSON.

The Hon'ble MR. E. P. CHAPMAN.

The Hon'ble MR. G. W. KÜCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. R. T. DUNDAS.

The Hon'ble MR. C. E. A. W. OLDHAM.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble SIR FREDERICK GEORGE DUMAYNE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble BABU BENUPENDRA NATH BASU.

The Hon'ble RAI SITA NATH RAY BAHADUR.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., Maharajadhiraja Bahadur of Burdwan.

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI.

The Hon'ble BABU KIRTANAND SINHA.

The Hon'ble RAJA RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GOLAM HOSSEIN CASSIM ARIFF.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAY BAHADUR.

The Hon'ble MR. MADHU SUDAN DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble RAI KISHORI LAL GOSAIN BAHADUR.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHORE PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAY.

INVESTITURE OF TITLES AND PRESENTATION OF KAISER-I-HIND MEDALS.

THE Lieutenant-Governor invested the Hon'ble Nawab Saiyid Muhammad, Khan Bahadur, and Nawab Abdul Jabbar, Khan Bahadur, C.I.E., with the title of Nawab, and Raja Kristo Das Laha with the title of Raja. His Honour also presented Kaiser-i-Hind medals of the Second Class to Mr. Thomas Stewart and Mr. A. M. Biswas.

OATH OF ALLEGIANCE.

The Hon'ble Mr. Levinge, the Hon'ble Mr. Stephenson, the Hon'ble Mr. Dundas and the Hon'ble Mr. Oldham made the prescribed oath of their allegiance to the Crown.

[*Babu Baikuntha Nath Sen; Mr. Stephenson; Babu Braja Kishor Prasad; Mr. Gourlay.*]

QUESTIONS AND ANSWERS.

EXTENSION OF THE ELECTIVE FRANCHISE TO CERTAIN MUNICIPALITIES.

The Hon'ble BABU BAIKUNTHA NATH SEN asked:—

I.—(*a*) Will the Government be pleased to state whether, and, if so, when, it intends to extend the elective franchise to the Tittaghar, Garulia, Garden Reach and Budge-Budge Municipalities, in the Presidency Division, as it has been pleased to do, very recently, in respect of 18 Municipalities in the Province?

(*b*) If not, will the Government be pleased to state its reasons for withholding the privilege from the aforesaid four Municipalities?

The Hon'ble MR. STEPHENSON replied:—

(*a*) "The question of extending the elective system to Municipalities in which it was not in force was recently before Government, and the case of the four Municipalities referred to by the Hon'ble Member was fully considered. It was decided not to extend the elective system to these four Municipalities, and it is not at present the intention of Government to reconsider that decision.

(*b*) "In all these four Municipalities there is a very uneven distribution of interests, a state of things in which the nomination system is more conducive than the elective system to efficient administration."

CADASTRAL SURVEY AND SETTLEMENT OPERATIONS IN SOUTH BIHAR.

The Hon'ble BABU BRAJA KISHOR PRASAD asked:—

II.—Has the attention of the Government been drawn to the numerous complaints made by the landlords of South Bihar regarding the cadastral survey and settlement operations now going on there, as reported in the *Amrita Bazar Patrika* of the 6th and 18th May, 15th and 28th June, and 2nd, 9th and 15th July, 1910?

The Hon'ble MR. GOURLAY replied:—

"The attention of the Government of Bengal has been drawn to the articles in question."

MR. PHILIP'S CIRCULAR REGARDING *GUZASHTA* HOLDINGS.

The Hon'ble BABU BRAJA KISHOR PRASAD asked:—

III.—(*a*) Has the attention of the Government been drawn to a circular issued over the signature of Mr. C. L. Philip, Assistant Settlement Officer, headed "Instructions regarding the status of *guzashtadars*," the first paragraph of which is:—

> "All raiyats who claim to have *guzashta* holdings should be recorded as *shara muaiyan*, unless the landlord can prove that the rent of these holdings has ever been enhanced or has been converted from *bhaoli* into *nagdi*, or that the holdings have been created since the date of the Permanent Settlement"?

(*b*) Will the Government be pleased to state if it is a fact that, in numerous instances, simply because the zamindars of the district of Shahabad have admitted their tenants to be *guzashtadars*, such tenants have, on the basis of the said circular, been recorded as *shara muaiyan* tenants as a matter of course?

(*c*) Will the Government be pleased to withdraw the said circular?

(*d*) Will the Government be pleased to direct the survey authorities to reconsider, in the light of section 50, sub-section (*2*), of the Bengal Tenancy Act, the cases of those tenancies which have been recorded as *shara muaiyan* simply on the basis of the said circular?

[*Mr. Gourlay; Babu Braja Kishor Prasad.*]

The Hon'ble MR. GOURLAY replied:—

(*a*) "Yes.

(*b*) "From inquiries made by the Director of Land Records it appears that there have been some cases where the claim to the status of a raiyat holding at fixed rates has been admitted, in his opinion, without adequate proof.

(*c*) "The circular has been withdrawn, and replaced by another of which a copy is laid on the table.

(*d*) "Instructions to give landlords special facilities to obtain a reconsideration of such cases have been issued by the Settlement Officer."

[Referred to in the Hon'ble MR. GOURLAY's answers to Question No. III of the Hon'ble BABU BRAJA KISHOR PRASAD and Question No. VII of the Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN, asked at the Council Meeting of the 30th August, 1910.]

Revised Circular regarding guzashta *holdings.*

LANDLORDS have been permitted to file section 103A objections free of cost, objecting to the entry of *shara muaiyan* in the records of Attestation Camps I, II and III in Arrah thana. They have also been permitted to file review petitions where section 103A objections have already been filed and disposed of. These review petitions will also be on plain paper, and no copy of the original case-record is required. All objections and review petitions must be filed within one month of the date of the service of notices.

The objections and review petitions will be examined with the schedules already prepared at attestation or section 103A stage, and in all cases in which it is found from the schedule that the entry of *shara muaiyan* is based on the production of rent-receipts by the raiyat, the objection or review petition will be put up to me for summary disposal.

The remaining objections and review petitions will be made over to an Assistant Settlement Officer for enquiry. He will have regard to the following points:—

(1) Whether the landlord or *a responsible agent* admitted before, or now admits, that there is a custom of *guzashta* holdings in the village.

(2) Whether there is any other evidence to establish the existence of such a custom.

(3) Whether it is admitted, or has been admitted, that in the village *guzashta* signifies fixity of rent.

(4) Whether there is any other evidence to establish the significance of the word *guzashta* in the village.

(5) What proportion of the raiyats of the village or locality have been recorded without objection as *shara muaiyan*, or have been able to establish their status by the method indicated in section 50, Bengal Tenancy Act, and whether there is sufficient reason for holding that the raiyats against whom objections have been filed are raiyats of the same class as the bulk of the raiyats of the village or locality.

(6) The Assistant Settlement Officer will also inspect any other evidence offered by the raiyat in the first instance or by the landlords with a view to answering such evidence. He should particularly enquire of the raiyat whether he has rent receipts, and will of course scrutinise receipts now offered for the first time with great care.

(7) The Assistant Settlement Officer will not be influenced by the conclusions arrived at by the Attestation Officer or the section 103A Officer, but will consider the case *de novo*. At the same time he will read the notes of his predecessors in order to find out what evidence was available before them.

J. A. HUBBACK,
Settlement Officer.

EXTENSION OF SERVICE.

The Hon'ble BABU BRAJA KISHOR PRASAD asked:—

IV.—(*a*) Will the Government be pleased to state how many officers of each of the classes mentioned below are working on extensions of service in this Province?—

(1) Superintendents of Police and Deputy Inspectors-General of Police.
(2) Sub-Deputy Opium Agents.
(3) Deputy Magistrates and Deputy Collectors.
(4) Munsifs and Subordinate Judges.

[*Mr. Levinge.*]

(*b*) Will the Government be pleased to state the reasons which lead the Government to grant extensions of service to members of the Executive and Judicial Services more freely than to the members of the Opium and Police Services?

(*c*) Is the Government aware that some disappointment exists among the members of the Provincial Executive Service on account of their not getting temporary promotions when officers in the higher grades of the service go on leave, which is contrary to the practice observed in the case of the Covenanted Civil Service and the Police Service?

(*d*) Will the Government be pleased to make some arrangement in this direction, to avoid any disappointment to the members of the Provincial Executive Service?

(*e*) Will the Government be pleased to state the number of occasions on which promotions in the following services have been made since the 1st of April, 1909?—

(1) Civil Service.
(2) Police Service.
(3) Provincial Executive Service.
(4) Provincial Judicial Service.

The Hon'ble Mr. Levinge replied:—

(*a*) "The number of officers of the classes named who are working on extension of service is as follows:—

(1) Superintendent of Police and Deputy Inspector-General of Police	2
(2) Opium Agents	Nil.
(3) Deputy Magistrates and Deputy Collectors	20
(4) Munsifs and Subordinate Judges	5

(*b*) "For the policy of Government with regard to extensions of service the Hon'ble Member is referred to the answer to the questions asked by the Hon'ble Mr. K. B. Dutt at the meeting of the Bengal Legislative Council held on the 26th February, 1910, a copy of which is placed on the table. The principles therein enunciated apply to all services alike. The case of each officer is considered separately with reference to his personal efficiency and the nature of his duties.

(*c*) "The answer is in the negative.

(*d*) "On the information before him the Lieutenant-Governor is not prepared to move in the matter.

(*e*) "The purport of the question is not altogether clear. Promotions in all services alike are made with effect from the date on which the vacancies occur. The issue of orders announcing promotions, however, is governed by administrative convenience; it is sometimes suitable to announce promotions singly and sometimes in batches. The interests of officers are not affected by these variations as the promotions take effect, as already stated, from the dates on which the vacancies occur. Presuming that the Hon'ble Member desires to know the number of occasions on which promotions have been announced, the answer is as follows:—

(1) Civil Service	5
(2) Police Service	6
(3) Provincial Executive Service	2
(4) Provincial Judicial Service	5."

[*Referred to in the Hon'ble Mr. Levinge's answer to Question No. IV, asked by the Hon'ble Babu Braja Kishor Prasad at the Council Meeting of the 30th August, 1910.*]

Answer by the Hon'ble MR. DUKE to Question No. XII, asked by the Hon'ble Mr. K. B. DUTT at the Council Meeting of the 26th February, 1910:—

(*a*) "Government is not aware that reasonable disappointment or discontent prevails among members of the Executive Branch of the Provincial Civil Service.

(*b*) "The policy of Government in respect of extensions of service is laid down in Article 459 of the Civil Service Regulations. The substance of this article is as follows:—

(*a*) an officer who has attained the age of 55 may be required to retire by the Local Government under which he is employed;

(*b*) the rule should be worked with discretion in order to avoid depriving the State of the valuable experience of really efficient officers and adding unnecessarily to the non-effective charges. In the case of officers holding superior appointments, the standard of efficiency by which retention is to be decided is above the standard required in lower appointments. In every case in which the rule is enforced, the reasons for enforcing it should be recorded;

(*c*) each such officer's case should be taken up when he is 55 years old, and before the expiry of each extension of service. In every case the extension should be given for not more than one year at a time;

(*d*) an officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the Local Government.

"This policy is in strict accordance with the directions of the Secretary of State communicated in the Despatch of the 23rd May, 1889, which were expressed as follows:—

'I desire, however, to point out that the question of requiring the retirement of an officer at the age of 55 years should be decided with reference to the efficiency of the officer and the interests of the public service, and that the rule in question should not be enforced merely for the sake of giving promotion to juniors, thereby unnecessarily adding to the charges for superannuation.'

"The guiding principle is that the services of every public officer should be retained so long as he is thoroughly efficient in the performance of his duties, and no longer. It is obviously not to the interests of the public to pay pensions to men who might be profitably employed.

"The age of 55 in no way indicates a limit for employment. It represents merely the age at which experience has shown that it becomes necessary to make special inquiry as to whether an officer is still fully efficient.

"The Lieutenant-Governor sees no reason to institute any change of policy in this respect."

FLOODS IN DARBHANGA.

The Hon'ble BABU BRAJA KISHOR PRASAD asked:—

V.—(*a*) Is the Government aware that within the last four years there have been two very heavy floods in the district of Darbhanga, causing much damage to the crops of the district?

(*b*) Is the Government aware that the floods of the year 1906 brought on famine in the district of Darbhanga, and that the Government had to spend a very large sum of money in consequence?

[*Mr. Butler; Rai Kishori Lal Gosain Bahadur.*]

(*c*) Is the Government aware that the Tirhut State Railway line, which does not contain a sufficient number of culverts and bridges of sufficient dimensions to allow the passage of the water, is one of the chief causes of these floods?

(*d*) Is the Government aware that the said railway line between Darbhanga and Hayaghat had to be cut at two places, under the orders of the District Magistrate of Darbhanga, to allow outlets for the flood waters last month, and that, had it not been for this wise and judicious act of the District Magistrate, much damage would have been done to the town and the district?

(*e*) Is the Government aware that in many places in the interior of the district people attempted to cut the said railway line, to save their lives and property?

(*f*) Is the Government aware that the people of the district, the local officials and the Commissioner of the Division are of opinion that the said railway line should provide more culverts of sufficient dimensions to allow the passage of flood water?

(*g*) Will the Government be pleased to move the Railway Board to do what is necessary in the matter of getting more culverts of sufficient dimensions opened in the Tirhut State Railway line?

(*h*) Will the Government be pleased to inquire whether two *bunds* on both sides of the rivers Kamala and Bagmati for some miles would prevent the floods, and, if so, will the Government be pleased to construct the said *bunds* and to levy an embankment cess therefor on the people concerned?

(*i*) Will the Government be pleased to make an inquiry into the causes of floods in the district of Darbhanga, which have become very common, and to take the necessary steps in the matter?

The Hon'ble Mr. Butler replied:—

(*a*) *and* (*b*) "The reply is in the affirmative.

(*c*) "The Government is not aware of this.

(*d*) "The recent flood was abnormal, and the Railway bank was cut in two places by order of the District Magistrate, and these cuts reduced the depth of flooding in the immediate vicinity.

(*e*) "A few attempts were made by the villagers to cut the Railway line.

(*f*) "This question is put in too sweeping a form; but Government believes that the opinion in question is held in some quarters.

(*g*) "If the local Superintending Engineer considers that more waterway should be provided than what was agreed to by the Railway authorities at a Conference recently held with the local officers, Government will represent to the Railway Board the advisability of providing it.

(*h*) "The effect of embankments on both sides of the rivers Kamala and Bagmati would be to intensify the flooding of the country below. The construction of such embankments is not therefore advisable.

(*i*) "When the Commissioner's report about the recent flood in Darbhanga has been received Government will consider whether any further inquiry is needed."

SPECIAL ANNUAL GRANT FOR URBAN SANITARY IMPROVEMENTS.

The Hon'ble Rai Kishori Lal Gosain Bahadur asked:—

VI.—(*a*) Has the Government been able, since 1908, to spend the whole of the special annual grant of 4½ lakhs from the Government of India for urban sanitary improvements for the purpose for which the grant is made?

(*b*) If not, why?

[*Mr. Stephenson; Maulvi Saiyid Muhammad Fakr ud-Din; Mr. Gourlay.*]

(*c*) Are there any hard-and-fast conditions on which only local bodies are permitted to avail themselves of grants of the Local Government out of the aforesaid special grant made by the Government of India?

(*d*) If so, what are those conditions?

The Hon'ble MR. STEPHENSON replied:—

(*a*) *and* (*b*) "The answer to the first question is in the affirmative.

(*c*) *and* (*d*) "There are no hard-and-fast rules; but generally speaking certain conditions are required. These are:—

(1) The work must be approved by Government.

(2) The local body must be prepared to carry it out and must have a feasible scheme for financing it.

(3) The local contributions should form an adequate proportion of the total cost of the scheme."

SURVEY SETTLEMENT OPERATIONS IN BIHAR.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

VII.—(*a*) Has the attention of the Government been drawn to the several articles published in the *Amrita Bazar Patrika*, the last one appearing in the issue of 27th July, 1910, protesting against the instructions issued by Mr. Philip to the Assistant Settlement Officers engaged in the survey-settlement operations in Bihar, as regards recording the status of raiyats at fixed rates of rent?

(*b*) Will the Government be pleased to inform the public whether any inquiry has been made into the matter, and, if so, with what result?

(*c*) Will the Government be pleased to enlighten the public if Mr. Philip had any authority to issue such instructions?

(*d*) Will the Government be pleased to enlighten the public as to what steps have been taken, or are likely to be taken, in order to do away with the effect of such instructions?

The Hon'ble MR. GOURLAY replied:—

(*a*) "Yes.

(*b*) "The Director of Land Records has inquired, and the circular in question has been withdrawn and replaced by a modified one. A copy of the revised circular has been placed on the table.

(*c*) "The instructions were issued with the approval of the Settlement Officer of Bihar.

(*d*) "The Settlement Officer is taking steps to give an opportunity to all persons who consider themselves aggrieved by orders passed regarding the status of tenants of *guzashta* holdings to apply for the revision of those orders, free of cost."

LOCATION OF A MUNSIFI AT BARH.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

VIII.—(*a*) Is the Government aware that the litigant public of the Barh Subdivision of the district of Patna, especially the tenant class, have been put to much inconvenience by the location of one of the Munsifis at Barh?

(*b*) Is the Government aware that the general public of the Barh Subdivision had submitted a memorial to the Local Government, through the District Officer of Patna, before formal sanction was accorded to the location of a Munsifi at Barh as a temporary measure?

[*Mr. Gourlay; Maulvi Saiyid Muhammad Fakr-ud-Din.*]

(*c*) Is the Government aware that the litigants representing both parties, who had their cases pending in the 3rd Court of the Munsif of Patna, filed petitions before the District Judge, praying for the retention of their cases at the Sadar Munsifi, and that the petitions were rejected?

(*d*) Is the Government aware that, in case of accumulation of cases in any Munsif's Court at the Sadar, the District Judge used to transfer cases from that Court to another Court, and thereby used to make an equal distribution of work among all the Munsifs, but that this cannot be done now in regard to cases pending in the Court of the Munsif of Barh?

(*e*) Is the Government aware that the present Munsif deputed to Barh has asked the District Judge to send an additional Munsif as the number of old cases has become large?

(*f*) Will the Government be pleased to make a thorough and complete inquiry, before confirming, if they intend to confirm, the location of a Munsifi at Barh, as to the convenience or otherwise of the litigants, and as to whether they would like to have their cases tried at Barh or at Bankipore?

The Hon'ble MR. GOURLAY replied:—

"A memorial was received in January last, purporting to be signed by some two thousand residents of the Barh Subdivision in the district of Patna, praying for the transfer of one of the Munsifs from Bankipore to Barh on the ground of convenience to litigants. A memorial was also received, purporting to be signed by a small number of residents of the Barh Subdivision, objecting to the proposal. The scheme was strongly supported by the local officers, including the District Judge: the question was referred to the High Court and with their consent it was decided that the thanas of Mokameh and Barh should be temporarily formed into a separate Munsifi, and that the court of one of the Munsifs of Patna should sit temporarily at Barh for the disposal of business arising in these thanas. Since April last, when these orders were issued, no reports of inconvenience to the local public have been received. Before the arrangement is made permanent, a full inquiry will be held in the ordinary course."

MANAGERS AND GUARDIANS APPOINTED BY THE COURT OF WARDS IN THE DISTRICT OF PATNA.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

IX.—Will the Government be pleased to state the names of the Managers appointed by the Court of Wards in the Patna District for the management of the estates, and also to state the names of the gentlemen appointed as personal guardians or tutors of the minors?

The Hon'ble MR. GOURLAY replied:—

Estates under the Court of Wards in the district of Patna.

Names of Estates.	Names of Managers.
(*i*) Nawada estate	Maulvi Syed Alimuddin.
(*ii*) Rai Sultan Bahadur's estate ...	
(*iii*) Bharathpura estate	
(*iv*) Maghra estate	Maulvi Syed Zahurul Hassan.
(*v*) Guzri ,, ...	
(*vi*) Wilayet Imam estate	
(*vii*) Khurshed Nawab's estate ...	Babu Bhagabatti Charan Bose.
(*viii*) Ladli Nawab's estate	
(*ix*) Badshah Nawab's Endowment estate	

Names of Estates.	Names of Guardians and Tutors.
(*i*) Rai Sultan Bahadur's estate ...	*Resident Tutor*—Babu Sarat Chandra Chatterji.
(*ii*) Maghra estate	*Guardian*—Mussamat Kamal Kunwar. *Tutor*—Babu Raj Kumar Mukherji.
(*iii*) Ladli Nawab's estate	*Guardian*—Mussamat Wazirunnissa Begum

[Maulvi Saiyid Muhammad Fakr-ud-Din; Mr. Gourlay; Mr. Golam Hossein Cassim Ariff; Mr. Thomson; Mr. Levinge.]

The other estates in the district belong to adult proprietors for whom no guardians or tutors are required.

THE EAST INDIAN RAILWAY WORKSHOPS, JAMALPUR.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN asked:—

X.—(*a*) Will the Government be pleased to state its position in relation to the Jamalpur Railway Workshop?

(*b*) Does not the Government consider it desirable that selected successful students of the Sibpur Engineering College and the Bihar School of Engineering should receive supplementary training at the Jamalpur Workshop, and that every facility should be afforded for that purpose?

(*c*) Does the relationship of the Government with the East Indian Railway Company preclude any such arrangement?

(*d*) If so, will the Government be pleased to take steps to remove any bar that at present exists in regard to the carrying out of any such arrangement?

The Hon'ble MR. GOURLAY replied:—

"The Jamalpur Workshops are the property of the East Indian Railway, which is under the control of the Government of India and the Railway Board, and is independent of the Local Government.

"Government has not considered the matter of giving these students supplementary training there, and can express no opinion on the matter."

EMPLOYMENT OF MUSSALMANS IN THE OFFICES OF THE CHIEF ENGINEER, BENGAL.

The Hon'ble DR. ABDULLAH-AL-MAMUN SUHRAWARDY being absent, the Hon'ble Mr. Golam Hossein Cassim Ariff, by leave of the President, asked the following question standing is his name:—

XI.—Will the Government be pleased to state how many Mussalmans (other than daftaris, durwans, chaprasis and other menials) are employed in the offices under the Chief Engineer of Bengal?

The Hon'ble MR. THOMSON replied:—

"The number of Mussalmans (other than daftaris, durwans, chaprasis and other menials) employed in the offices under the Chief Engineer of Bengal is 138."

PERCENTAGE OF BENGAL MUSSALMANS IN THE CALCUTTA POLICE FORCE.

The Hon'ble DR. ABDULLAH-AL-MAMUN SUHRAWARDY being absent, the Hon'ble Mr. Golam Hossein Cassim Ariff, by leave of the President, asked the following question standing in his name:—

XII.—Will the Government be pleased to state the percentage of Bengal Mussalmans (above the rank of Head Constable) in the Calcutta Police Force?

The Hon'ble MR. LEVINGE replied:—

"It is understood that by the term 'Bengal Mussalmans' the Hon'ble Member means Mussalman inhabitants of the Burdwan and Presidency Divisions. The percentage of such officers (above the rank of Head Constable) in the Calcutta Police Force is 4 per cent."

[*Mr. Dip Narayan Singh; Mr. Gourlay; Mr. Golam Hossein Cassim Ariff.*]

BIHARI STUDENTS IN CALCUTTA.

The Hon'ble MAHARAJ KUMAR GOPAL SARAN NARAYAN SINGH being absent, the Hon'ble Mr. Dip Narayan Singh, by leave of the President, asked the following questions standing in his name:—

XIII.—(*a*) Has the attention of the Government been drawn to the unusually large influx of students into the Metropolis from Bihar since the publication of the results of the University Examinations this year, owing to there being no arrangement in the Bihar Colleges for teaching certain combinations of subjects, and that several of these students have had to give up the group of subjects they would have best preferred to study, while several others have been compelled to go back to Bihar disappointed, because of there not being sufficient accommodation for them in the boarding-houses and certified messes attached to the different colleges, the greatest hardship being in the case of Hindu students?

(*b*) Is the Government aware that the sanitary arrangements in several of the boarding-houses and messes attached to colleges in Calcutta are in a very incomplete condition, causing grave danger to the health of the students?

The Hon'ble MR. GOURLAY replied:—

(*a*) "The attention of Government has not been drawn to the defective provision for the students of Bihar during the current year. An inquiry will be made.

(*b*) "The Government is not aware that the sanitary arrangements of the boarding-houses and messes attached to colleges in Calcutta are so seriously at fault as to cause great danger to the health of the inmates. The sanitary condition of the institutions referred to is certified by a competent medical authority before they are licensed by the University."

REMOVAL OF THE DEOGHUR SUBDIVISION FROM NON-REGULATION CATEGORY.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH being absent, the Hon'ble Mr. Dip Narayan Singh, by leave of the President, asked the following question standing in his name:—

XIV.—Is the Government aware that great progress, materially and in matters educational, has now been made in the Deoghur Subdivision of the Sonthal Parganas, and that it would lead to the greater convenience and comfort of the public if this subdivision were removed from the non-regulation area and made subject to the general civil and criminal laws prevalent in the country?

The Hon'ble MR. GOURLAY replied:—

"Government has no reason to suppose that any inconvenience is occasioned to the residents of the Deoghur Subdivision owing to their residing in a non-regulation area. Government has no intention of converting any portion of the Sonthal Parganas into a Regulation district."

MUHAMMADAN REPRESENTATIVE FOR THE SERAMPORE MUNICIPAL BOARD.

The Hon'ble MR. GOLAM HOSSEIN CASSIM ARIFF asked:—

XV.—(*a*) Has the attention of the Government been drawn to two articles in the *Mussalman* of the 3rd and the 24th June, 1910, as also to the editorial paragraph in the *Amrita Bazar Patrika* of the 29th June, 1910, regarding the removal of a street light close to a mosque in the Konnagar Ward of the Serampore Municipality, in spite of strong protests by the Muhammadans and Hindus of the locality?

[*Mr. Stephenson; Mr. Golam Hossein Cassim Arif; Mr. M. S. Das.*]

(*b*) In view of the facts contained in the articles and paragraph referred to above, and of the notes in the *Statesman* (July 3rd) and the *Indian Daily News* (July 1st), and also in view of the fact that even the order of the Divisional Commissioner to restore the light was not carried out, will the Government be pleased to consider the desirability of nominating a non-official Muhammadan representative on the Serampore Municipal Board?

The Hon'ble MR. STEPHENSON replied:—

(*a*) "Government has seen the articles in question.

(*b*) "Before making the nominations, a list of which has been recently published, Government fully considered the question of nominating a Muhammadan representative."

PROPOSED WATER-WORKS IN THE SERAMPORE MUNICIPALITY.

The Hon'ble MR. GOLAM HOSSEIN CASSIM ARIFF asked:—

XVI.—Has the attention of the Government been drawn to an editorial paragraph of the *Amrita Bazar Patrika* of the 5th August, and also to a letter published in the *Empire* of the 23rd July, and the *Statesman* of the 22nd July last, and also to two letters published in the *Bengalee* of the 22nd and 23rd July last, and also to a letter in the *Indian Daily News* of the 10th August, about the proposed water-works within the Serampore Municipality?

The Hon'ble MR. STEPHENSON replied:—

"Government has seen the paragraph and letters in question."

DIVISION OF THE SERAMPORE MUNICIPALITY.

The Hon'ble MR. GOLAM HOSSEIN CASSIM ARIFF asked:—

XVII.—Is there any scheme at present before the Local Government or the local officials about dividing the Serampore Municipality?

The Hon'ble MR. STEPHENSON replied:—

"A scheme for the subdivision of Serampore Municipality was submitted to Government last year, and it was decided not to proceed with it for the present."

REALIZATION OF PENALTY FOR DEFAULT IN PAYMENT OF LAND-REVENUE IN CUTTACK.

The Hon'ble MR. M. S. DAS asked:—

XVIII.—(*a*) Is the Government aware of the two cases mentioned below, in connection with the practice existing in the Cuttack Collectorate of realizing a penalty for default in the payment of Government revenue?—

(1) A penalty of Rs. 20 was paid in cash on the 16th March, 1910, by Chintamoney Mahapater for arrears of Rs. 6-5-6, due in tauzi No. 2417 on account of *kist* November, 1909.

(2) On a petition presented on the 24th November, 1909, praying the Collector to "be graciously pleased to remit the interest and accept payment of the revenue" (due on 8th November, 1909), the Collector passed the following order:—

"There is no reason why I should make an exception in this case. Penalty must be paid, as ordered. Accept payment on or before November 30th of the arrears offered, together with penalty of one anna in a rupee. Order regarding exemption will be passed on January 15th."

(*b*) Will the Government be pleased to state whether the order of the Collector in case (2) does not contravene the provisions of section 2 of Act XII of 1841 of the Governor General in Council, which enacts that "There shall be no demand of interest or penalty upon any arrear of land-revenue"?

[*Mr. Gourlay.*]

(*c*) Will the Government be pleased to lay on the table the order, notification or other sanction of the Governor General in Council or of the Government of India in support of this practice?

(*d*) Will the Government be pleased to state the total amount which has been paid in the district of Cuttack during the twelve months ending June, 1910, by defaulting zamindars in consequence of this practice?

(*e*) In how many districts under the Bengal Government does this practice exist? Will the Government be pleased to name them, and state the amount paid in each district during the period mentioned in the last preceding question?

The Hon'ble MR. GOURLAY, replied:—

(*a*) "The attention of the Government had not previously been drawn to the cases mentioned.

(*b*) "The power of exemption conferred on the Collector by section 18 of the Revenue Sale Law is unfettered. He has only to record the reasons for an exemption. It is presumed that the Collector's action was in conformity with a Resolution of the Board of Revenue, a copy of which is placed on the table, advising that the severity of the sale law was capable of mitigation by the offer to a defaulter of the choice of payment of a penalty, as an alternative to the exposure of his estate to sale. The acceptance of the offer is entirely voluntary, and the payment of the penalty could not be enforced with reference to the provisions of section 2 of Act XII of 1841. The Resolution was issued in July, 1908. The percentage of the number of sales to the number of defaults which rendered estates liable to sale during the two years previous to the issue of this Resolution was 8·4 and 7·6 and during the two years subsequent to the issue of the Resolution 4·4 and 5·1. In the opinion of Government these results appear to justify the action of the Board of Revenue, and in so far as the abandonment of the procedure would apparently result in an increase in the number of sales, it is not proposed to introduce any change.

(*c*) "No order or sanction of the Government of India has been given and none is necessary.

(*d*) "Rs. 10,725-4-8.

(*e*) "The Resolution of the Board of Revenue was communicated to all Collectors, but information concerning each district is not available."

[Referred to in the Hon'ble MR. GOURLAY's Answer to Question No. XVIII, asked by the Hon'ble Mr. M. S. DAS at the Council Meeting of the 30th August, 1910.]

No. 2790A., dated Calcutta, the 15th July, 1908.

RESOLUTION—By the Board of Revenue, Lower Provinces.

THE Board have had under consideration the question of reducing avoidable hardship to proprietors in the working of the Revenue Sale Law with special reference (1) to the responsibility of a proprietor for the default or negligence of his co-sharer when he has not protected himself by opening a separate account, and (2) to the admitted impossibility (under existing arrangements of the Tauzi Office in many districts) of a co-sharer finding out until after the *kist* day whether the demand for his estate or share has been fully paid.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.
The Hon'ble MR. R. T. GREER, C.S.I.

2. This matter was discussed at the Conference of Commissioners held in October, 1906. At this Conference general approval was given to the practice which was introduced by Mr. Hare (now the Hon'ble Sir Lancelot Hare) into the district of Muzaffarpur of imposing a penalty, or fine (which was levied in Court-fee stamps affixed on petitions) on defaults in payment of land revenue before granting exemption from sale. It is believed that this practice has worked well in Muzaffarpur, and the Board noticed that in the year 1905-06 only 1 in 27 defaulting estates was sold in Muzaffarpur, whereas 1 in 10 defaulting estates was sold in that year in Saran and 1 in every 7 defaulting estates was sold in Shahabad. The inference drawn was that the Sale Law was worked with more leniency in Muzaffarpur than in Saran and Shahabad.

3. The Board have borne in mind the provisions of section 2 of Act XII of 1841, and they also noticed that the Revenue Sale Act, XI of 1859, makes no provision for such procedure as was introduced by Sir Lancelot Hare in Muzaffarpur. While, however, it must be admitted that the law does not provide for Sir Lancelot Hare's method, the Board are not of opinion that the procedure in question is illegal. They take the view that a

Collector may properly make a condition that he will exempt from sale on payment of penalty, though he would have no power to realise the penalty, should it be left unpaid. No hardship is caused to the defaulting proprietor who may voluntarily accept a less disastrous alternative than that of sale of his estate or share.

4. The Board, therefore, desire to commend to Collectors the Muzaffarpur practice whereby a fine or penalty is imposed when such a course, according to their judgment, appears to be appropriate, as a condition of granting exemption from sale for an arrear of land revenue. The Board, however, do not consider it advisable to restrict the discretion of Collectors to a fixed scale of penalties. To prevent abuse it is necessary, on the one hand, that a fine should not be more than is really necessary and, on the other hand, that it should not be so small as to be a premium on default.

5. Collectors should bear in mind the necessity of the punctual payment of Government revenue, and the evil of countenancing avoidable defaults. They are allowed to exempt from sale only after the due record of reasons as section 18 of the Act requires.

6. It will be necessary that Commissioners, of Divisions should supervise the action of Collectors in accordance with the above instructions.

APPOINTMENT OF HONORARY MAGISTRATES.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

XIX.—(*a*) Has the Government ever considered the legality of the Circular No. 3185 T., dated the 9th July, 1898, known as the Bolton Circular, under which the Government has taken power to appoint Honorary Magistrates ordinarily for three years?

(*b*) Is it not the case that section 14 (*2*) of the Code of Criminal Procedure (Act V of 1898), under which the power above referred to has been assumed, refers only to special Magistrates appointed under section 14 (*1*) of the Code?

(*c*) Is it not the fact that appointments of Honorary Magistrates are ordinarily made under section 12 of the Code?

The Hon'ble MR LEVINGE replied:—

(*a*) *and* (*b*) "The answer is in the affirmative.

(*c*) "Appointments of Honorary Magistrates to sit singly are always made under section 14, Criminal Procedure Code. Since some date subsequent to 1907 those Honorary Magistrates who are to sit as Bench Magistrates have, in consequence of an oversight, the cause of which cannot be traced, been appointed under section 12. Before that they used to be appointed under section 14. The former procedure will now be reverted to, and all appointments of Honorary Magistrates will in future be made under section 14."

REORGANISATION OF THE PROVINCIAL SERVICE OF THE EDUCATION DEPARTMENT.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

XX.—Will the Government be pleased to state whether it is in contemplation to reorganise the Provincial Service of the Education Department, and, if so, what steps have been taken in the matter?

The Hon'ble MR. GOURLAY replied:—

"The Government of India were recently addressed on the question of the improvement of the Provincial Educational Service, and the matter is under their consideration."

APPOINTMENTS IN THE CALCUTTA MEDICAL COLLEGE.

The Hon'ble BABU BHUPENDRA NATH BASU asked:—

XXI.—Will the Government be pleased to announce what effect is proposed to be given to the Resolution of Lord Morley for throwing open some appointments of the Calcutta Medical College to private medical practitioners and to medical officers outside the Indian Medical Service?

The Hon'ble MR. STEPHENSON replied:—

"Government are not aware that any Resolution has been passed by the Secretary of State directing that any of the existing appointments of the Calcutta Medical College shall be thrown open to private medical practitioners

[*Babu Bhupendra Nath Basu; Mr. Gourlay; The President; Mr. Dip Narayan Singh; Mr. Stephenson.*]

or to medical officers outside the Indian Medical Service. The Professorship of Biology is not reserved for members of the Indian Medical Service, and the new Professorship of Anatomy will be filled from outside the ranks of that Service."

REDUCTION OF THE KRISHNAGAR COLLEGE TO THE STATUS OF A SECOND GRADE COLLEGE.

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

XXII.—Is it a fact that the Government have in view the reduction of the Krishnagar College to the status of a second-grade college ?

The Hon'ble MR. GOURLAY replied :—

"A report on the subject has recently reached Government, and is at present under consideration. It is unlikely that the status of the College will be reduced."

TEACHING OF SCIENCE IN THE BETHUNE COLLEGE.

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

XXIII.—Does the Government intend to make arrangements for the teaching of Science in the Bethune College, in view of the fact that female candidates intending to take up the Science course after Matriculation are compelled to seek admission to the ordinary colleges ?

The Hon'ble MR. GOURLAY replied :—

"Botany up to the Intermediate Science Standard is at present taught at the Bethune College. The cost of equipping the College completely for the teaching of Science would not be commensurate with the demand for such teaching."

The Hon'ble BABU BHUPENDRA NATH BABU asked the following supplementary question :—

"If sufficient accommodation cannot be provided for in the Bethune College for the teaching of science to female students, can any accommodation for these students be provided for in any other Government College, for instance, the Presidency College in Calcutta ?"

The Hon'ble MR. GOURLAY said :—

I am unable to reply to the question without notice.

THE PRESIDENT said:—The matter will receive consideration by the Government.

MUHAMMADAN STUDENTS IN THE CALCUTTA UNIVERSITY.

The Hon'ble BABU BHUPENDRA NATH BASU asked :—

XXIV.—(*a*) Is the Government aware that some lecturers in the University of Calcutta have refused admission to a Muhammadan student ?

(*b*) Does the Government intend to remedy this state of things ?

The Hon'ble MR. GOURLAY replied :—

"The Government has no knowledge of the matter, which is one of University administration."

EXCISE REVENUE DERIVED IN CERTAIN DIVISIONS.

The Hon'ble MR. DIP NARAYAN SINGH asked :—

XXV.—Will the Government be pleased to lay on the table a statement of the revenues derived, under different heads, from Excise during the last ten years in each of the districts of the Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions ?

The Hon'ble MR. STEPHENSON replied :—

"Statements containing the information asked for by the Hon'ble Member

Referred to in the Hon'ble Mr. Stephenson's Answer to Question No. XXV, asked by the Hon'ble Mr. Dip Narayan Singh at the Council Meeting of the 30th August, 1910.]

Statement showing revenues derived, under different heads, from Excise during the last 10 years in each of the Districts of the Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions.

PATNA DIVISION.

PATNA.

YEAR.	Country spirit.	Tari.	Pachwai.	Opium.	Hemp drugs.	Total of receipts under minor heads.	Total excise revenue.
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
900-01 ...	5,32,971	1,30,855	.....	21,676	80,327	4,648	7,70,47
901-02 ...	5,65,940	1,32,139	.....	22,196	90,768	4,826	8,15,86
902-03 ...	5,86,300	1,36,651	.....	25,219	88,326	4,250	8,40,74
903-04 ..	6,03,472	1,35,997	.....	22,130	71,364	4,221	8,37,18
904-05 ...	5,95,081	1,30,293	.....	24,704	87,415	6,583	8,44,07
905-06 ...	6,11,111	1,31,501	.....	23,945	90,567	7,311	8,64,43
906-07 ...	7,18,911	1,34,346	.....	25,192	1,04,549	8,556	9,91,55
907-08 ...	7,51,741	1,32,648	.....	29,216	1,02,606	6,546	10,22,75
908-09 ...	6,89,217	1,50,916	.....	35,616	99,602	8,817	9,84,16
909-10 ...	5,51,558	1,46,647	.....	54,631	97,580	8,240	8,58,65

GAYA.

900-01	...	4,30,484	1,34,655	.....	9,735	56,965	1,159	6,32,998
901-02	...	4,69,303	1,34,968	.....	9,427	57,651	1,256	6,72,605
902-03	...	4,52,394	1,33,480	.....	9,816	61,957	1,530	6,59,177
903-04	...	4,85,754	1,30,657	.....	9,214	67,040	1,877	6,94,542
904-05	...	4,90,715	1,35,951	.....	9,841	72,260	1,806	7,10,573
905-06	...	5,56,042	1,37,586	.....	10,989	85,452	1,606	7,91,675
906-07	...	6,93,109	1,41,943	.....	14,904	92,877	1,350	9,44,183
907-08	...	7,87,813	1,45,753	.....	17,647	94,559	1,209	10,46,981
908-09	...	5,24,847	1,52,591	.....	19,247	92,267	1,621	7,90,573
909-10	...	4,90,040	1,60,472	.....	17,433	94,298	1,992	7,64,235

SHAHABAD.

1900-01	...	2,10,758	24,730	.....	5,051	1,07,927	1,429	3,49,895
1901-02	...	2,07,793	24,889	.....	4,829	1,11,356	1,432	3,50,299
1902-03	...	2,09,945	25,135	.....	4,886	1,09,985	1,143	3,51,094
1903-04	...	2,13,515	26,652	.....	5,046	1,21,479	1,358	3,68,030
1904-05	...	2,45,655	26,609	.....	4,998	1,39,462	1,353	4,17,977
1905-06	...	2,58,971	27,676	.....	5,252	1,58,701	1,285	4,61,885
1906-07	...	2,74,247	29,331	.....	6,013	1,63,347	1,503	4,74,441
1907-08	...	2,78,112	35,444	.....	5,557	1,68,536	1,370	4,89,019
1908-09	...	2,75,446	41,142	.....	6,648	1,58,701	1,614	4,83,551
1909-10	...	2,35,896	47,796	.....	7,190	1,73,395	2,056	4,66,332

TIRHUT DIVISION.

SARAN.

Year.	Country spirit.	Tari.	Pachwai.	Opium.	Hemp drugs.	Total of receipts under minor heads.	Total excise revenue.
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
00-01 ...	2,45,375	60,667	.....	2,352	54,265	1,655	3,64,314
01-02 ...	2,46,159	59,035	.....	1,907	63,737	1,687	3,72,525
02-03 ...	2,48,732	61,404	.....	2,128	70,214	1,384	3,83,862
03-04 ...	2,79,932	62,021	.....	2,280	72,402	1,543	4,18,188
04-05 ...	3,32,543	60,882	.....	2,341	74,971	1,777	4,72,514
05-06 ...	3,86,010	64,000	.....	2,176	96,792	1,640	5,50,618
06-07 ..	3,84,619	68,537	.....	2,481	80,760	1,676	5,38,073
07-08 ...	3,75,827	75,220	.....	3,620	80,764	1,450	5,36,881
08-09 ...	3,69,136	77,204	.....	3,092	93,676	1,309	5,44,417
09-10 ...	3,18,716	82,385	.....	4,284	1,05,236	1,639	5,12,260

CHAMPARAN.

00-01 ...	1,17,019	25,464	70	969	68,735	1,043	2,13,300
01-02 ...	1,27,625	28,087	50	1,015	72,307	1,160	2,30,244
02-03 ...	1,38,428	28,073	168	1,689	94,531	1,317	2,64,201
03-04 ...	1,50,473	28,693	5	1,919	92,575	1,257	2,74,922
04-05 ...	1,51,350	29,789	72	2,010	98,476	1,138	2,82,835
05-06 ...	1,65,716	29,763	92	2,005	1,09,517	1,094	3,08,187
06-07 ...	1,66,095	29,638	37	1,621	1,05,667	1,657	3,04,715
07-08 ...	1,85,000	32,397	28	1,683	98,949	1,046	3,19,103
08-09 ...	1,98,215	33,629	40	2,225	1,27,239	1,043	3,62,454
09-10 ...	2,51,155	32,512	55	3,159	1,45,767	1,102	4,33,750

MUZAFFARPUR.

00-01 ...	1,22,644	98,949	.....	6,193	54,638	1,323	2,83,747
01-02 ...	1,25,207	1,01,245	.....	6,490	64,005	1,506	2,98,453
02-03 ...	1,39,788	1,06,197	.....	7,232	76,029	1,490	3,30,736
03-04 ...	1,52,832	1,08,903	.....	6,983	75,289	1,562	3,45,574
04-05 ...	1,81,540	1,13,812	.....	7,271	73,822	1,288	3,77,733
05-06 ...	2,03,848	1,19,949	.....	8,907	90,259	1,083	4,24,041
06-07 ...	2,00,798	1,16,561	.....	10,153	69,670	713	3,97,895
07-08 ...	1,86,670	1,23,961	.....	7,660	76,691	728	3,95,710
08-09 ...	1,79,530	1,28,973	.....	7,633	90,864	718	4,07,718
09-10 ...	1,38,634	1,28,844	.....	8,908	90,633	863	3,62,882

DARBHANGA.

00-01 ...	1,05,655	1,03,086	.....	7,652	81,885	2,878	3,00,606
01-02 ...	1,06,583	1,01,235	.....	8,104	1,01,964	1,209	3,19,095
02-03 ...	1,15,325	1,01,264	.....	7,970	97,493	3,605	3,25,657
03-04 ...	1,22,603	99,595	.....	8,394	1,01,078	1,535	3,33,205
04-05 ...	1,50,365	1,03,062	.....	10,733	1,06,247	1,769	3,72,176
05-06 ...	1,55,547	1,05,271	.....	10,699	1,20,226	1,702	3,93,446
06-07 ...	1,71,157	1,02,114	.....	10,253	1,22,167	1,687	4,07,378
07-08 ...	1,51,998	1,08,402	.....	10,749	1,01,021	1,661	3,73,826
08-09 ...	1,33,281	1,03,547	.....	10,766	99,386	1,615	3,48,596
09-10 ...	92,966	1,06,869	.....	10,520	1,02,867	1,583	3,14,805

BHAGALPUR DIVISION.

MONGHYR.

Year.	Country spirit.	Tari.	Pachwai.	Opium	Hemp drugs.	Total of receipts under minor heads.	Total excise revenue.
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1900-01 ...	3,19,523	50,092	.....	9,263	1,39,521	1,666	5,20,06
1901-02 ...	3,13,806	47,700	.....	8,608	1,45,898	1,772	5,17,78
1902-03 ...	3,14,688	50,252	.....	8,638	1,61,362	1,899	5,36,83
1903-04 ...	3,39,530	50,162	.....	8,707	1,57,466	1,771	5,57,63
1904-05 ...	3,51,377	49,657	.....	8,949	1,56,887	1,801	5,68,67
1905-06 ...	3,71,118	52,135	.....	9,288	1,74,948	2,305	6,09,78
1906-07 ...	3,81,211	51,755	.....	10,283	1,66,865	2,948	6,13,06
1907-08 ...	3,59,066	53,194	.....	11,452	1,61,771	3,325	5,88,80
1908-09 ...	3,26,066	53,115	.....	12,250	1,83,401	4,160	5,78,99
1909-10 ...	2,33,315	63,217	.....	13,572	1,95,220	3,731	5,09,05

BHAGALPUR.

1900-01 ...	1,69,868	36,135	.....	24,919	1,40,746	1,402	3,73,07
1901-02 ...	1,70,807	36,536	.....	24,869	1,47,059	1,418	3,80,68
1902-03 ...	1,73,817	38,657	.....	25,042	1,46,539	1,357	3,85,41
1903-04 ...	1,79,987	37,167	.....	25,554	1,44,286	1,506	3,88,50
1904-05 ...	1,83,021	38,556	77	26,385	1,53,941	1,428	4,03,40
1905-06 ...	1,94,733	40,575	154	29,246	1,85,894	1,791	4,52,39
1906-07 ...	1,99,815	36,952	.....	29,197	1,76,727	2,049	4,44,74
1907-08 ...	1,82,714	37,357	84	28,168	1,85,970	1,644	4,35,93
1908-09 ...	1,83,196	42,657	131	31,317	1,98,043	2,190	4,57,53
1909-10 ...	1,36,971	34,529	137	31,975	1,93,304	1,812	3,98,72

PURNEA.

1900-01 ...	1,35,809	15,025	1,057	70,211	1,54,479	2,500	3,79,081
1901-02 ...	1,41,097	14,838	544	69,293	1,60,690	2,508	3,88,470
1902-03 ...	1,62,303	14,233	1,275	74,145	1,69,575	2,827	4,24,358
1903-04 ...	1,75,809	13,603	1,702	76,857	1,65,314	2,852	4,36,137
1904-05 ...	1,94,220	13,609	1,587	78,110	1,66,046	2,646	4,56,218
1905-06 ...	1,93,020	12,792	2,471	80,489	1,93,633	2,099	4,84,504
1906-07 ...	2,08,123	12,904	2,384	84,645	1,93,365	1,926	5,03,347
1907-08 ...	2,38,928	13,206	2,481	84,849	1,92,102	2,592	5,34,158
1908-09 ...	2,19,881	14,060	2,584	84,436	2,07,580	3,268	5,31,809
1909-10 ...	1,52,149	14,210	2,249	80,876	1,93,629	1,638	4,44,751

DARJEELING.

1900-01 ...	1,66,356	.....	36,463	6,288	12,046	23,170	2,44,323
1901-02 ...	1,72,847	.....	39,960	6,285	12,883	23,681	2,55,656
1902-03 ...	1,91,862	.....	42,846	6,646	14,186	22,912	2,78,452
1903-04 ...	1,97,340	.....	41,540	7,641	14,367	21,461	2,82,249
1904-05 ...	1,96,667	.....	40,669	7,846	13,949	25,570	2,84,701
1905-06 ...	1,59,260	.....	41,422	6,677	13,217	23,080	2,43,656
1906-07 ...	1,40,163	.....	41,414	7,461	13,511	19,466	2,22,015
1907-08 ...	1,83,573	.....	45,591	7,102	13,591	21,182	2,71,036
1908-09 ...	2,04,600	.....	44,049	7,129	14,198	22,756	2,92,732
1909-10 ...	2,06,353	.....	43,720	7,066	14,322	26,868	2,98,629

BHAGALPUR DIVISION—*concld.*

SONTHAL PARGANAS.

Year.	Country spirit.	Tari.	Pachwai.	Opium.	Hemp drugs.	Total of receipts under minor heads.	Total excise revenu
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1900-01 ...	78,337	13,048	49,532	16,361	60,179	1,436	2,18,8
1901-02 ...	97,257	16,616	53,685	17,572	70,485	1,242	2,56,8
1902-03 ...	1,18,518	19,771	57,120	18,330	78,578	1,467	2,93,7
1903-04 ...	1,23,343	21,793	57,129	20,886	80,949	1,383	3,05,4
1904-05 ...	1,44,275	19,639	51,759	19,449	78,802	1,815	3,15,7
1905-06 ...	1,56,345	19,843	54,960	21,054	87,714	1,323	3,41,2
1906-07 ...	1,83,415	17,665	56,495	21,747	81,176	961	3,61,4
1907-08 ...	2,77,568	20,364	57,982	20,473	80,826	1,180	4,58,8
1908-09 ...	2,71,796	23,625	50,542	22,872	82,989	2,480	4,54,8
1909-10 ...	2,03,961	22,416	58,865	22,440	82,572	2,015	3,92,2

CHOTA NAGPUR DIVISION.

HAZARIBAGH.

1900-01 ...	1,49,476	4,958	10	6,639	16,213	373	1,77,66
1901-02 ...	1,88,973	5,165	.....	8,329	20,904	559	2,23,93
1902-03 ...	2,26,517	6,073	.....	8,536	24,511	816	2,66,45
1903-04 ...	2,43,603	6,161	.....	9,666	27,071	844	2,87,34
1904-05 ...	2,57,766	7,051	.....	11,590	25,782	812	3,03,00
1905-06 ...	2,80,751	6,179	.....	11,967	28,629	886	3,28,41
1906-07 ...	3,39,265	8,282	.....	12,904	28,212	968	3,89,63
1907-08 ...	3,79,527	7,162	.....	12,573	29,600	874	4,29,73
1908-09 ...	3,35,541	6,575	.....	11,867	28,884	875	3,83,74
1909-10 ...	3,46,259	5,055	.....	13,788	31,611	1,409	3,98,12

RANCHI.

1900-01 ...	2,52,461	168	2,197	16,078	19,599	657	2,91,16
1901-02 ...	2,66,839	168	2,462	16,673	22,359	586	3,09,08
1902-03 ...	2,91,561	195	3,158	17,317	26,118	827	3,39,17
1903-04 ...	3,18,290	191	3,685	18,767	25,925	610	3,67,46
1904-05 ...	3,45,637	197	3,583	20,072	25,872	1,145	3,96,50
1905-06 ...	3,91,160	192	3,876	20,226	31,111	686	4,47,25
1906-07 ...	4,40,035	198	4,548	20,617	27,848	683	4,93,92
1907-08 ...	5,07,658	207	4,672	22,299	32,289	1,552	5,68,67
1908-09 ...	5,11,477	220	3,992	22,876	31,568	977	5,71,11
1909-10 ...	5,24,026	263	4,908	25,831	37,521	697	5,93,24

PALAMAU.

1900-01 ...	89,031	1,400	.....	3,319	8,735	130	1,02,61
1901-02 ...	1,07,747	1,578	.....	3,393	9,270	82	1,22,07
1902-03 ...	1,08,700	1,588	.....	3,596	10,140	148	1,24,17
1903-04 ...	1,24,073	1,542	.....	4,174	11,167	119	1,41,07
1904-05 ...	1,61,745	1,879	.....	4,983	13,775	98	1,82,48
1905-06 ...	1,94,722	1,869	.....	5,255	16,616	82	2,18,54
1906-07 ...	2,38,374	2,022	.....	6,942	20,693	87	2,68,11
1907-08 ...	2,85,133	2,344	.....	7,865	24,032	20	3,19,38
1908-09 ...	2,05,868	2,121	.....	7,689	20,421	37	2,36,13
1909-10 ...	2,05,632	2,635	.....	7,893	20,460	36	2,36,61

CHOTA NAGPUR DIVISION—*concld.*

MANBHUM.

Year.	Country spirit.	Tari.	Pachwai.	Opium.	Hemp drugs.	Total of receipts under minor heads.	Total excise revenue
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1900-01 ...	2,01,264	1,083	4,024	23,964	33,574	081	2,64,9
1901-02 ...	2,18,445	1,289	4,415	28,383	37,929	1,107	2,91,5
1902-03 ...	2,28,909	1,257	5,440	32,058	41,667	1,196	3,10,5
1903-04 ...	3,10,992	1,272	6,579	36,136	48,684	1,315	4,04,9
1904-05 ...	2,94,827	1,305	8,301	37,409	48,547	1,931	3,91,8
1905-06 ...	3,27,962	1,130	8,536	37,748	53,220	2,037	4,30,6
1906-07 ...	3,27,305	1,108	13,397	39,848	52,746	3,268	4,37,6
1907-08 ...	3,22,140	1,291	18,869	44,481	63,908	6,104	4,56,7
1908-09 ...	4,29,388	1,821	27,837	36,016	69,420	4,291	568,7
1909-10 ...	3,65,000	1,777	23,485	39,904	66,370	5,702	502,2

SINGHBHUM.

1900-01 ...	52,349	162	7,007	14,010	9,125	454	83,1
1901-02 ...	57,559	168	7,102	15,896	9,817	146	90,6
1902-03 ...	63,447	195	6,412	17,185	9,947	398	97,8
1903-04 ...	56,685	209	6,754	17,002	10,026	471	91,1
1904-05 ...	61,748	143	7,626	20,018	12,821	475	1,02,9
1905-06 ...	79,344	160	10,435	18,817	13,605	649	1,23,6
1906-07 ...	88,273	196	11,948	19,474	12,345	477	1,32,7
1907-08 ...	1,10,234	257	13,438	22,212	13,158	352	1,59,6
1908-09 ...	1,08,936	232	13,268	18,453	11,763	740	1,53,8
1909-10 ...	1,08,852	203	12,291	17,234	14,212	1,534	1,54,8

The Sambalpur Repealing and Amending (Rates and Cesses) Bill, 1910.

[*Mr. Dip Narayan Singh; Mr. Gourlay; Mr. Levinge.*]

APPOINTMENT OF COURT TRANSLATOR IN THE MUZAFFERPUR JUDGE'S COURT.

The Hon'ble Mr. Dip Narayan Singh asked :—

XXVI.—(*a*) Has the attention of the Government been drawn to a communication headed the "Muzaffarpur Jobbery," published in the *Behare* of the 12th August, 1910, in which it is alleged that the son of the Judge's Court Sarishtadar, a junior muharrir on Rs. 20 a month, not conversant with Hindustani, has been appointed Court Translator on Rs. 90 a month, superseding the claims of several competent and qualified amlas, the said vacancy not having even been advertised?

(*b*) Will the Government be pleased to inquire into the allegations made, and take such necessary steps in the public interest as it may deem necessary?

The Hon'ble Mr. Gourlay replied:—

(*a*) "The attention of Government had not been drawn to the communication referred to.

(*b*) "The appointment of the Court Translator is made at the discretion of the District Judge. It has been ascertained that the clerk referred to belongs to a Bengali family which has been domiciled in Bihar for three generations : he is fully conversant with Hindi. He acted as Translator on various occasions during the last two years."

THE SAMBALPUR REPEALING AND AMENDING (RATES AND CESSES) BILL, 1910.

The Hon'ble Mr. Levinge moved for leave to introduce a Bill to repeal and amend in the district of Sambalpur certain enactments relating to abolished rates and cesses.

He said :—"I beg to ask leave, Sir, to introduce a Bill to repeat, for the Sambalpur district, the provisions of Part E of the Schedule of the Repealing and Amending (Rates and Cesses) Act, 1907 (IV of 1907). By that Act, which was an India Council Act, certain enactments were repealed and others were modified in the Central Provinces, in consequence of the abolition of certain rates and cesses (namely, the additional rates on land imposed by Act X of 1878 for expenditure on famine relief and works of sanitary improvement, and the patwari cesses imposed by the Central Provinces Land-revenue Act, 1881 (XVIII of 1881). By an oversight no separate mention was made in the Act of the district of Sambalpur, which by that time had been transferred from the Central Provinces to Bengal, and was therefore no longer included among the districts under the Chief Commissionership of the Central Provinces referred to in Part E of the Schedule annexed to the Act. The result is that although the rates and cesses just mentioned were abolished in the Sambalpur district as well as in the Central Provinces, they are still legally payable in Sambalpur. It is desirable that all references to them in the enactments in force in Sambalpur should be removed, and for this the Bill before the Council provides, by enacting for Sambalpur, the whole of Part E of the Schedule of Act IV of 1907."

The motion was put and agreed to.

The Hon'ble Mr. Levinge introduced the Bill, and moved that it be read in Council.

The Motion was put and agreed to, and the Secretary accordingly read the title of the Bill.

[*Mr. Stephenson.*]

THE CALCUTTA IMPROVEMENT BILL, 1910.

The Hon'ble **Mr. Stephenson** moved for leave to introduce a Bill to provide for the improvement and expansion of Calcutta.

He said :—

"I ask for leave of the Council to introduce a Bill for the Improvement and Expansion of Calcutta. It is intended, if the Bill is introduced and read, to publish it for public information, and not to refer it to a Select Committee until the cold-weather session.

"I may perhaps be expected to give a history of the circumstances leading up to the Bill and of the various stages through which it has passed.

"The starting point of the Improvement Scheme was the Report of the Calcutta Building Commission in 1897. In the Resolution appointing this Commission it was stated that the sanitary officers deputed by the Medical Board to inquire into the condition of Calcutta had shown to what an extent overcrowding prevailed in Calcutta, and how the construction of buildings in the older part of the town impeded or rendered impossible any effective conservancy, and the Commission was directed to inquire into the history and operation of the existing law and by-laws on buildings. They were further requested to inquire into the desirability of opening out the congested tracts of Calcutta and the most feasible plan of effecting this. On this point their recommendations were necessarily vague, and they could only insist on the desirability of opening out a number of fairly wide streets, and, where possible, creating open spaces as lungs to the locality. They could make no estimate as to the cost, but suggested various methods of financing the work, and it is noticeable that, with one exception, every source of revenue tapped in the present Bill was mentioned in the Commission's Report.

"The proposals were taken up by this Government, and in July, 1899 the Government of India were first addressed. The scheme set forth was to drive 15½ miles of roads through the congested portions in the north of Calcutta, and to provide incidentally open spaces where possible. The estimated cost was five crores, and it was proposed that the execution of these great works of improvement should be entrusted to a special and separate body or Trust, and that the Land Acquisition Act should be amended in certain particulars. The cost of the scheme was to be met half by recoupment, that is to say, by the taking up and sale of surplus lands lying along the roads, and the other half by loans on the security of a tax of 1 per cent. on jute, but guaranteed by the Corporation.

"This was the first proposal for the improvement of Calcutta, and it is desirable to notice certain features of it. In the first place, the proposal for 15½ miles of roads was not based on any survey or any definite scheme. It had its origin in a note pointing out that certain roads in certain directions were very desirable, and 15½ miles was taken as a convenient approximation. *Secondly*, the alterations were confined to these roads. The *bustees* were to be swept away to the width of the roads or of the land to be taken up, but no attempt was foreshadowed to improve the congested areas still remaining between the streets or to provide for the transfer of the congested population elsewhere. *Thirdly*, the estimate of cost was exceedingly uncertain. Until a scheme is prepared there can be no definite estimate of expenditure. All that could be done, and was done, was to take the cost of the only wide road that had been constructed—Harrison Road—and assume that the cost and recoveries would work out as they did in that case, and it is on that basis that the recoveries by recoupment—a principle which persists through all the schemes—are calculated at about a half of the gross cost. It is very important to remember this indefiniteness in the estimates because that is the factor which more than anything else has made it difficult to frame financial proposals, and is thus responsible for the delay that has taken place in giving the proposals their final shape.

"The Government of India at once accepted the main features of the scheme, but were unable, for reasons partly connected with the currency policy, to allow the tax on jute. Practically the whole correspondence of the next three years hinges upon the question how Calcutta could best meet the burden

of the improvements, and how far and in what form assistance might properly be given to it. In 1900 the Government of India proposed to recommend to the Secretary of State that a grant of Rs. 50 lakhs be made from Imperial Revenues for the scheme, on the understanding that a Trust was formed to carry it out, and that the money which had to be raised by loan should be raised on the security of the rates; and this offer was subsequently approved by the Secretary of State on condition that a scheme was framed causing the cost of the improvements to fall upon the Municipality, and that adequate taxation was imposed to meet this cost. This offer did not remove all the difficulties, and the Government of Bengal proposed to reduce the scheme to more modest dimensions. Their proposal was not considered by the Government of India to meet the needs of the case, and further correspondence ensued, chiefly upon details of finance with which I need not trouble the Council, because although they cleared the ground for the present scheme, they are not now of practical importance. Finally, in 1902 the Government of India forwarded to the Secretary of State the first definite scheme that had been put before him. This was to construct $15\frac{1}{2}$ miles of roads at a cost of Rs. 478 lakhs, of which 291 lakhs was expected to be recovered by recoupment and 50 lakhs was to be given from Imperial Revenues. The remainder was to be raised by loans for a term of sixty years, and the Corporation was to meet the loan charges from their own resources, supplemented by a tax on petroleum; and on the expiry of 20 years the Corporation should take over from the Trust all its liabilities and assets. The Secretary of State accepted the principle of the scheme with very considerable modifications, and insisted that the responsibility of the Corporation should be definitely fixed, and they should be bound by legislation to pay a certain sum annually to the credit of the Trust, and proposed that $1\frac{1}{2}$ per cent. of the total rateable value of all lands and buildings in the city should be paid annually to the Trust; that the proceeds of the tax on petroleum should also be paid direct to the Trust, and that the Corporation should be made responsible for any deficit.

"At this stage the scheme was made public and criticisms were invited. This is the end of the first period, and it may be convenient to summarise the principles which had been worked out during the first five years. They were—

(*i*) that the opening up of congested areas was necessary;

(*ii*) that this could best be done by a Trust;

(*iii*) that the principle of recoupment could be relied upon to meet a large part of the cost;

(*iv*) that the balance should fall primarily upon Calcutta, and that a substantial contribution must be made by the Corporation;

(*v*) that Government would help with a grant of Rs. 50 lakhs;

(*vi*) that the Corporation must assume the liabilities of the Trust when the latter was wound up; and

(*vii*) that some amendment of the Land Acquisition Act would be required.

"There was a considerable discussion on the published scheme, but nothing more of importance was done till the beginning of 1904 when, as matters were progressing very slowly and it was recognised that the machinery of official correspondence was in some respects ill-adapted to effect an expeditious settlement of questions so intricate as those which arose in connection with the improvement of Calcutta, an advisory Conference was held at which Your Honour and Sir Herbert Risley attended on behalf of the Government of India. This Conference felt acutely the difficulty already alluded to arising from the necessarily vague nature of the scheme, and limited their recommendations to the classes of work to be undertaken.

"The recommendations of the Conference are of the utmost importance in the history of the scheme. They differ considerably from the principles hitherto laid down, especially as regards the scope of the Trust, and they form the basis of the present Bill. The defect that the earlier proposals dealt only

with a very limited portion of the overcrowding was clearly recognised, and the new scheme was much more comprehensive. The new scheme proposed to tackle the areas outside the alignment of these roads, which were still the backbone of the scheme, to provide for more open space and to clear overbuilt areas. This at once raised the question which had hitherto been avoided of what was to become of the ejected population. If the congested areas were opened out, the inhabitants must go somewhere, and not only that but care must be taken that the growth of population does not cause the areas to be again congested. The surplus present population as well as the growth of population in future must be provided for if permanent good was to be done. There are not sufficient areas in Calcutta itself to provide for their accommodation, and it was necessary, therefore, that the Trust should look to the future expansion of Calcutta, and should extend their operations to the suburbs in the direction in which this expansion would naturally take place. It follows therefore that the Trust must have power to make the suburbs, where the surplus population should be provided for, accessible by constructing or subsidizing trams or other means of cheap conveyance. Further, although it was hoped that private enterprise would provide suitable accommodation, yet the past history of the congested areas showed that it was essential that the Trust should be in a position to enforce the restrictions and regulations that are necessary for sanitation and the amenities of life. The Trust must then have power to acquire land in suburban areas which they could sell or lease, imposing suitable conditions, and they must also have the power given to the Corporation of Calcutta of regulating buildings. All this was provided for in the scheme drawn up by the Conference.

"The enlarged scope of the scheme necessarily meant a considerable increase in the cost. The amount required was roughly estimated to be Rs. 822 lakhs, but, there is no virtue in this particular amount, and no doubt a great deal more could be spent with advantage. This does not represent the actual cost of any definite scheme, but is roughly what is estimated to be required for any scheme of wide and permanent utility on these lines. It was proposed to spend Rs. 500 lakhs on new roads, 172 lakhs on open spaces and 150 lakhs on housing and expansion. Of this sum, 336 lakhs was to be recovered by recoupment, 50 lakhs was Government contribution, and the remainder was to be raised by loans.

"The current expenses and the Sinking Fund for the loans were to be provided by a contribution from the Corporation, supplemented by the proceeds from certain taxes, among which were—

a ¼ per cent. tax on jute,
a terminal tax on passengers, and
a transfer duty on land in Calcutta.

"The municipal contribution was to be a first charge on the rates, and was to be paid even if it were necessary to raise the rates above the legal maximum. The Conference also discussed the composition of the Trust, and proposed a body of six Trustees in addition to a President. The Chairman of the Corporation was to be an *ex-officio* Trustee, and two of the other Trustees were to be Commissioners of the Calcutta Municipality and one a member of the Bengal Chamber of Commerce, but all were to be appointed by Government.

"The proposals of the Conference were accepted by the Government of Bengal and forwarded to the Government of India. Some discussion as to the practicability of some of the proposed taxes followed, but eventually the sanction of the Secretary of State was obtained to the proposals generally on the understanding that the scheme of taxation would be for 60 years; and that although some of the loans would not fall due till after the expiration of 60 years, yet inasmuch as all the revenue would not be required in the first few years to meet interest and the sinking fund of loans, which would only be raised as required, the balance of the revenue would be invested, and thus be ready to meet all liabilities when the scheme of taxation was stopped. In 1905

the Government of India forwarded an analysis of the scheme as it then stood, and the opinion of the public was invited on it. This scheme reproduced all the recommendations of the Conference. The cost of management by the Trust was taken at Re. 1 lakh, and the annual charge for interest and sinking fund at Rs. 20,35,000. This was to be met as follows:—

	Rs.
The estimated recoveries from the land taken for the surplus population	3,00,000
Contributions by the Corporation, supplemented by special taxation	18,35,000

"The contribution of the Corporation was to be a fixed demand of Rs. 4,64,000, being the sum made available by the repayment of the Government loan in December 1908 *plus* 1½ per cent. on the rateable value, which was then calculated to yield Rs. 3,60,000. The Corporation were also held liable for default on the part of the Trust. In order to enable the Corporation to meet these liabilities, their revenues were to be supplemented by new taxes on petroleum and on transfers of immovable property. It was further proposed that the special taxation should consist of a tax on jute and one or more of various other taxes, including a railway terminal tax. The general summary of the scheme may perhaps be quoted:—

'The scheme involves a capital expenditure of 822 lakhs. The persons whose land is improved are expected to repay to the Trust 336 lakhs capital, while those who are served by the housing operations will pay 3 lakhs per annum, *i.e.*, 2 lakhs per annum (sufficient in 60 years to repay a loan of 42 lakhs), and the cost of management, 1 lakh. The capital outlay may therefore be regarded as thus distributed:—

Persons directly benefited	378 lakhs.
Residents of Calcutta	394 ,,
The general tax-payer	50 ,,

'Thus no part of the cost of management and less than half the capital charges fall on the local tax-payer.

'The comparative lightness of the burden in relation to the magnitude of the operations involved is the more noticeable when the scheme of taxation comes to be analysed. The repayment of 394 lakhs involves an annual charge of Rs. 18,35,000. Of this amount, it is contemplated that over Rs. 4 lakhs will be obtained from the Corporation without additional taxation and 5 lakhs from the tax on jute, by far the greater proportion of which will probably be borne by consumers beyond Calcutta. The special additional taxation falling ultimately on Calcutta represents in fact only about one-quarter of the whole cost of the scheme.'

"The opinions of the interested public were collected and carefully considered. On the whole, the scheme was well received, but there was some opposition to almost every proposed tax except, perhaps, that on jute. As a result of these criticisms, the constitution of the Trust was slightly altered, and they were given power to co opt temporarily experts or persons specially interested in any particular scheme that happened to be before the Trust at the time. Their hands were also strengthened by giving them power to construct roads in the suburbs. As regards the financial question, the opinions received disclosed a strong feeling that the contribution from Imperial Revenues might fairly be enhanced, and the Government of India were asked for a further grant of 1½ lakhs per annum for 60 years. As the best solution of the very vexed question of the proper amount of the municipal contribution, the following was proposed:—

(1) that the Corporation contribute to the Trust an annual sum equal to a 2 per cent. consolidated rate, estimated to yield 5·40 lakhs;

(2) that a transfer duty at 2 per cent. be imposed on sales, gifts and usufructuary mortgages of immovable property in Calcutta, estimated to yield 2 lakhs a year; and

(3) that if in any year the sum of these two sources of revenue fell short of 7·50 lakhs, the Corporation should make up the

"As regards the taxes necessary to make up the required balance of the revenue, it was recognised that no increased taxation would be altogether popular, and after much discussion and consultation with the interests concerned, it was proposed to levy the jute tax and the terminal tax. This scheme of taxation appeared to Government to constitute as equitable a distribution of the general burden as was possible under the circumstances.

"This scheme was sent home, and the Secretary of State, in giving his sanction to it, directed that some of the members of the Trust should be elected. He also sanctioned the annual subvention of Rs. 1½ lakhs on the condition that the scheme of taxation became law in its entirety and was made effective for the full term of 60 years. The improvement scheme thus received its present shape, and the subsequent delay has been due to its being cast into the form of a Bill and to the necessary criticisms on the wording and form of sections of that Bill.

"Such is the history of the scheme, and I trust that I have indicated sufficiently clearly the reasons for the delay in bringing it to fruition—a delay that may well have seemed intolerable to those who were necessarily ignorant of the cause. Perhaps I may be permitted now to set forth shortly and generally the nature and scope of the present Bill.

"The agency set up by the Bill is a body of Trustees. It has been recognised from the beginning that the hands of the Corporation are too full of their ordinary administration to allow them to take up a special scheme of this magnitude, which should be designed, executed and superintended by an independent body, and the precedent of the Bombay Improvement Trust has been taken. In Bombay the number of Trustees is 14, but so large a number is open to serious objections. The Trust is not a deliberative body; it is formed to execute works within certain defined lines: it is essential that their action shall be prompt, and their policy continuous and their decisions secret. A Board of seven, including a President, seems to be quite large enough from this point of view. To meet the objection that such a body cannot be sufficiently representative, it is proposed that the principal interests concerned—those of the Corporation—shall be represented by the Chairman being *ex officio* a Trustee and two of the remaining Trustees being elected by the Corporation. Another Trustee is elected by the Chamber of Commerce. To provide for other interests that may be concerned in any particular scheme before the Trust, it is proposed that the Trustees shall co-opt representative persons who shall take part in all the consultations of the Trust. The President of the Trust is to be a whole-time officer, appointed for three years on a salary of not more than Rs. 3,000; the term of office of the other Trustees is two years, and they are to be remunerated by fees. Rules of Business have been provided, based on the Bombay Trust Act and the Calcutta Municipal Act; and in view of the magnitude of their task, the importance of the interests concerned, the large amount provided from public funds and, above all, the necessarily uncertain financial nature of the operations, considerable Government control has been provided. All schemes are subject to Government approval, and all loans, and all contracts involving more than a lakh, must be sanctioned by Government. Government has also reserved the power to make rules, and to keep a constant check on the proceedings of the Trust.

"As regards the work of the Board, the Trustees may undertake either a general improvement scheme or a street scheme. The first will provide for the relaying out of a congested or insanitary area, and it is provided that when the scheme comprises an area of 40 acres, more than one-third of which is covered by buildings, the Trust may acquire land for the formation of open spaces. A street scheme will provide for the improvement of communications and sanitation and for the opening up of congested areas. Under such a scheme all main thoroughfares must be at least 60 feet wide, minor thoroughfares 40 feet, and *bustee* roads 20 feet. For the purpose of both classes of schemes the Trust may acquire land, demolish buildings and alter streets. But in both cases they are bound to provide for the construction of dwellings for persons displaced and for shops for their use. With this object they may acquire land either inside or outside the Municipality. It is not contemplated that the Trust will enter on a course of speculative building but it is

that the provision of dwellings must precede the demolition of existing areas, and it may be necessary for the Trust to show the way before private enterprise steps in. When private enterprise is ready to take up the building, the Trust will either lease or sell on suitable conditions the land acquired for the purpose. For the purposes of their schemes the Trust may take over any existing street or open space, under certain restrictions necessary to safeguard the public, and on completion of the scheme they will hand over to the Corporation all the streets and open spaces comprised in it; but before doing so they are bound to provide all municipal conveniences—drainage, water, lighting, and the like. As it is necessary to prevent the evils, which this Bill is intended to remedy, arising in the suburban area, power has been taken to extend the Act and the whole or part of the Calcutta Municipal Act to any neighbouring area, and the Trustees are authorized to subsidize tramways to improve the communications with these areas.

"As regards finance, while there are necessarily no estimates and the Bill does not refer to any limit of expenditure, the proposals have been drawn up on the rough calculation that the cost will be 822 lakhs, of which 336 lakhs will be recovered by recoupment and 50 lakhs, will be granted from Imperial Revenues. There remains a sum of 436 lakhs to be raised by loan, for periods not exceeding 60 years in each case. For the service of these loans an annual revenue of 19·65 lakhs is necessary, and to this must be added 1·25 for working expenses and contingencies, bringing the total up to 20·90. To meet this revenue, the Bill provides for the levy of the following taxes:—

(1) An extra duty of 2 per cent. on the value of all immovable property situated in the Calcutta Municipality which is transferred by sale, gift or usufructuary mortgage; the money to be collected under the Stamp Act and paid at the end of the year to the Trustees. One result of the improvements must be the enhancement of the value of immovable property in Calcutta, and it is only equitable that the class of owners of property who are thus benefited should contribute directly to the cost of the scheme. The burden of a general raising of the rates might be passed on to the occupiers in whole or in part, and it is essential that some means should be devised to prevent the owners of land from evading their obligations. This tax is estimated to bring in two lakhs.

(2) A terminal tax of half an anna to be paid by every passenger by rail or steamer to or from Calcutta It is fair that residents outside who visit Calcutta and are for the time at all events benefited by the improvements should pay some share of the cost. The tax is to be collected in the shape of a surcharge on the ticket by the Railway and Steamer Companies concerned, and paid by them at the end of the year. It is intended at all events at first to exempt passengers from within a radius of 30 miles on the ground that the ejected population must necessarily be driven to the suburbs, and it is unwise to do anything that might hamper their free coming and going; but power has been taken to abolish this concession with the sanction of the Government of India if at any time it is thought expedient to do so. This tax is estimated to yield two lakhs.

(3) A Customs and Excise duty, not exceeding 2 annas per bale of 400 pounds, on raw jute and jute cuttings and rejections exported from the Port of Calcutta or consumed in any mill in Bengal. It is not intended to impose the full duty at first, but to begin with 1 anna 9 pies per bale. The justification for this impost is the fact that though many of the mills are outside municipal limits, yet they do to some extent contribute to the overcrowding; moreover, the head-quarters of the industry is in Calcutta, the agents are all there, and the financing is there. It is in this sense peculiarly a Calcutta industry, and will benefit directly or indirectly by the improvements. The full duty of 2 annas is about a quarter per cent. on the value, and will practically not be felt. It is estimated to realise 8·40.

[*Mr. Stephenson.*]

"We have then a revenue of 12·40 produced by special taxation on persons directly or indirectly benefited. It is estimated that the Trust may expect to receive another 3 lakhs a year from the lands it acquires for housing the surplus population, and from such buildings as it may erect on these lands. There remains the contribution of the Corporation. This will be a first charge on the rates, and will consist of a sum equal to a 2 per cent. consolidated rate with the stipulation that this sum, together with the transfer tax, shall not be less than 7½ lakhs. In addition to this, there is a further liability imposed by the Bill on the Corporation, viz., that if the Trust fails to pay the interest and sinking fund charges on the loans raised, the Accountant-General, Bengal, shall pay them and shall be reimbursed immediately out of the Municipal Funds by the Chairman of the Corporation. In such a case the rents and income of the Trust shall be attached and paid to the Corporation until the debt is liquidated.

"This makes up the estimated revenue of the Trust, and the grant of a lakh and-a-half from the Government of India forms the reserve. It will be observed that the financial scheme is necessarily very uncertain. There is no defined estimate of expenditure; the working expenses may very likely be heavier than anticipated; the cost of the scheme may turn out very much in excess of the very rough calculations for which there is only a very shadowy basis. And on the receipts side the recoveries by recoupment may be considerably less than our anticipation. It is true that the required annual income is based on the supposition that the full loan of 436 lakhs will be taken from the first; but, on the other hand, the three lakhs taken credit for in revenue as the income from the lands taken up for housing will certainly not be received from the first. The receipts from the terminal tax and the tax on jute are estimates only and may be falsified. Further, if the loans are not taken at once, their term will extend beyond the period of taxation, and excess revenue in the first years must be put aside to meet this liability; and, lastly, the 336 lakhs it is estimated to recover by recoupment or some portion of them may have to be taken before the recoupment recoveries begin to come in, in which case a further charge for interest may be incurred. For all these reasons it is sound to have a reserve of revenue, and the Government grant of 1½ lakhs will provide this, and can be supplemented by an increase in the jute tax to 2 annas and by the rise in the value of the consolidated rate. At the same time the financial condition may turn out better than has been anticipated, and in that case it would be possible, when the position of the Trust is fully assured, to give some relief from the annual payments, and power has been taken to give this relief with the consent of the Government of India; the nature of the relief and the recipients would be determined when the occasion arises.

"Lastly, one word about the alteration of the procedure for land acquisition.

"A special Tribunal is set up to take the place of the Court under the Land Acquisition Act. This Tribunal consists of a President and two assessors. The President must be either a member of the Judicial Branch of the Imperial or Provincial Civil Service, of not less than ten years' standing, who has, for at least three years, served as District Judge or held judicial office not inferior to that of a Subordinate Judge of the first grade; or a barrister, advocate or pleader of not less than ten years' standing, who has practised as an advocate or pleader in the Calcutta High Court. The President and one assessor shall be appointed by Government and the other assessor by the Corporation, and this Tribunal will decide all questions in dispute regarding compensation under the Bill. In order to guard against loss to the public owing to unduly inflated prices having to be paid for the land acquired, precautions have been taken to prevent fictitious enhancement of values, and the definition of market value has been recast."

The motion was put and agreed to.

The Hon'ble Mr. Stephenson introduced the Bill and moved that it be read in Council.

The motion was put and agreed to, and the Secretary accordingly read the title of the Bill.

[*The President; Babu Deba Prasad Sarbadhikari.*]

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The PRESIDENT said:—

"The first Resolution of which notice has been given stands in the name of the Hon'ble Babu Deba Prasad Sarbadhikari. The Hon'ble Member has sent in a copy of his speech, and the hon'ble seconder of the Resolution has also sent in a copy of his speech. These two speeches will be taken as read; but I must call upon the hon'ble mover to move the Resolution which stands in his name."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI then moved the following Resolution:—

The Council respectfully recommend to the Lieutenant-Governor that the question of improving the pay and status of the Subordinate Judicial Service be taken up, and that early representations be addressed to the Government of India with regard to such suggestions for improvement, made from time to time in this Council, in the Press and through other channels, as may commend themselves to His Honour's Government, in order that provision therefor may be included in the next Provincial Budget.

He said:—

"In connection with the last budget I gave notice of a resolution regarding the question of the improvement of the Subordinate Judicial Service.

"Before the resolution was brought on I had an opportunity of talking matters over with some members of the Government, and I realised that, though Government would be in sympathy with the objects of the resolution, if not with all its details, the resolution, even though carried, would serve no useful purpose at that stage. The budget for the year was too far advanced, and the Government would not have time to consider all the details of the resolution and submit its representations to the Government of India, and finally to the Secretary of State for ultimate sanction. It was not my purpose to raise a mere academic debate, altogether devoid of practical results. Such discussions we had in previous years, and they had not advanced matters much. It is not, perhaps, quite correct to say so, because the High Court and the Government of Bengal were good enough to agree to and accept some of the suggestions made in the course of those debates, though the action thereupon taken may not unfortunately have commended itself entirely to the Supreme Government. In connection with the budget debates of 1908 and 1909, I went into the details of the grievances of the service fully. I also submitted notes to the then Judicial Secretary, in which the ground not covered by the budget debates was included. But I felt that interviews with those directly in charge might clear up the ground and make the acceptance of some, at least, of our suggestions practicable. I accordingly withdrew the resolution at the time, and reminded those who did not approve of such withdrawal that the resolution could be brought forward at a more convenient time.

"The Hon'ble Mr. Gourlay has been good enough to give me an opportunity of discussing matters with him since the return of the Government from Darjeeling. I found him sympathetic and willing to meet me more than half way. But the objects in view are not likely to be attained unless matters are further threshed out.

"It will therefore be necessary to invite the attention of the Council to some of the salient considerations affecting the outstanding issues. Though I did not move my resolution in question on the previous occasion, the Hon'ble Mr. Gourlay took the trouble of answering me in advance, which gives me an advantage of which I may be permitted to avail myself. Governments have their difficulties as well as individuals, and their powers may not always be as untrammelled, or their resources as unlimited, as outsiders are apt to imagine. It is expedient, therefore, to take note and count of these possibilities in dealing with situations like those involved in the resolution I have now the honour to move. I have made its terms more general than on the previous occasion, and my resolution is moved more with the object of calling attention to the whole

question than of pressing specific suggestions, in the way of the acceptance of which there may be difficulties of which we know nothing. I am exceedingly grateful that Your Honour was graciously pleased to allow me to move the resolution, although, under the rules, my notice of motion, when actually sent in, was out of time.

"The chief recommendation is for the creation of a 500-rupee grade of Munsifs. These recommendations date earlier than the separation of the judicial cadre of East Bengal from that of our own Province, and by an irony of fate the recommendation that was primarily for the amelioration of the condition of the Bengal Service proper when it was made, was first adopted in East Bengal, and later on in far off Burma. We are yet without it here, and it needs a prophet of more than ordinary keenness and worldly wisdom to be able to foretell when we are likely to have it.

"The arguments in favour of this new grade have been shortly summarised as follows:—

(1) that the present grading of Munsifs is bad in itself;

(2) that it compares unfavourably with the grading of the Executive Branch of the Provincial Civil Service;

(3) that the sixth grade on Rs. 250 a month is disproportionately large; and

(4) that, as a result of this unsatisfactory grading, the promotion of Munsifs to the grade of Sub-Judge is unduly deferred, so that men only attain to that rank shortly before they are liable to be called upon to retire.

"There are other arguments in favour of the proposition, which will appear later on.

"The general replies to these arguments are supposed to be:—

(1) The existing grading of the Judicial Branch, taken as a whole, is more favourable than the standard grading laid down for a service consisting of seven grades.

(2) The existing number of appointments in the sixth grade on Rs. 250 a month is smaller than the number assigned to the corresponding grade in the standard grading.

(3) Although the Executive Branch has a larger proportion of appointments in the middle grades (Rs. 400 and Rs. 300), as compared with the lower grades (Rs. 250 and Rs. 200), than the Judicial Branch, and is in this respect more advantageously placed, yet it has only six appointments on Rs. 800 a month and none on a higher rate of pay; whereas the Judicial Branch has five appointments on Rs. 1,000 and ten on Rs. 800 a month. The average pay of a member of the Judicial Branch is Rs. 372·3 a month, and of a member of the Executive Branch Rs. 369·7 a month.

(4) The average age of the Senior Sub-Judges on the Bengal list, when they attained that rank, was about 50½ years, and their average service about 20½ years. Looking at the length of service which most Government servants render before they retire on pension, this is not an unduly long period for a Munsif to serve before being promoted to be a Sub-Judge. The Junior Sub-Judges have attained that rank after a considerably shorter period of service than the men now at the top of the list, and there are therefore grounds for anticipating that promotion will be more rapid in future.

(5) The average pay of Subordinate Judges and Munsifs taken together is already higher, and in most cases much higher than, the average pay of similar officers in other provinces, with the exception of Eastern Bengal, where a Rs. 500 grade was added on special grounds.

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"I hope I have not done the Hon'ble Mr. Gourlay's case any injustice in the above summary, and may really have overstated it. I have not had an opportunity of testing whether the last argument in all its aspects is sound or not. There are, they say, parts of the country where it is still possible for a Munsif to become a Sub-Judge in 10 or 12 years. There are parts of the country, again, in which the 'Village Munsif' is nothing like the officer going under a similar name here. Arguments by analogy like this should not be permitted to affect the present proposition even if they were locally sound. The conditions of each service under different administrations must determine its treatment, and the premier subordinate service of India, hardly inferior to any in the world, whether Covenanted or not, ought not to be told that back-wood averages are good enough for it. It is well known that work in Bengal is heavy, intricate and exacting.

"In trying to meet this argument by analogy on its own ground, as to the existing grading, it does not appear how it is more favourable than that in any other service. The fact that the existing number in the sixth grade (of Rs. 250) is smaller does not prove anything. There are 52 Munsifs in that grade and there are 50 Deputy Magistrates in the grade of Rs. 250. But the total number of the Deputy Magistrates is much larger (nearly double) than that of the Munsifs and Sub-Judges taken together. The percentage is therefore larger in the judicial services in this grade than in the executive services. The number of Sub-Judges is far less than the number of Deputy Magistrates of grades of Rs. 500 and above. The grade of Rs. 1,000 for Sub-Judges is merely ornamental, as few can remain in that grade for even a year, and even after extension is granted. The tragic fate of the king-consort in a well-known work of fiction soon after his ascent to the giddy height is often recalled to mind by outgoing members of this grade.

"It is admitted that the average age of the judicial officer up to which he draws pay up to Rs. 400 is 50½ years. The average period of service is 20½ years, which rises to 22 in some cases, while the average age of the Deputy Magistrate up to which he draws the pay of Rs. 400, *i.e.*, remains in the fifth grade, is about 40 years, and the average period of service during which such preferment occurs, only 16 years. Thus, the judicial officer has the chance of remaining in the higher grade above Rs. 400 now only is 4½ years (not taking the extension into account), while the Deputy Magistrate works in the higher grade for 15 years.

"Except in one or two cases junior officers have not attained to the rank of Sub-Judge before the age of 50½ years, and no inference can legitimately be drawn from this, nor any expectations based.

"I would not do the Hon'ble Mr. Gourlay the injustice of thinking that his observations on the last occasion imply that the grievances of the Provincial Judicial Service are more imaginary than real, or that the good work of the service is not appreciated. Such suggestions would indeed be distinctly contrary to acknowledged authorities like Justices Prinsep and Rampini and Messrs. Streatfeild and Richardson. But in presenting 'another side' of the question his arguments happened to be one sided, possibly because he had not much time to examine his and my grounds. But for this he could not have made palpable mistakes like those in calculating the period of holidays enjoyed by the Executive and Judicial officers, and the pay and prospects of those officers, as will be seen later on.

"The Hon'ble Mr. Gourlay observed that there should be some general principles upon which the improvement of the service should be considered. There is no gainsaying this, and upon such general principles, indeed, do I venture to urge the necessity of the creation of a new grade of Rs. 500 for Munsifs who exercise jurisdiction up to Rs. 2,000, or in the alternative, the provision for a personal allowance of Rs. 100 for officers exercising such jurisdiction. I urge it not merely upon the ground that there is a grade of Rs. 500 in Eastern Bengal and Assam and Burma which the earlier discussions in this Council really brought about, or that there is such a grade amongst the members in the Provincial Executive Service, but upon far

stronger grounds still of expediency and justice that influenced the High Court in pressing for this reform at the time of the separation of the Provincial Judicial Service, after the question was raised in Council in 1908. I would be very much mistaken and disappointed, indeed, if, having regard to all the facts and circumstances, the proposal did not strongly appeal to our Local Government at the time. Whatever may have stood in the way of its acceptance, it was singularly unfortunate that this grade of Munsifs was not created. Those interested in the improvement of the service can give themselves no rest till this bare act of justice is vouchsafed.

"Munsifs have ordinarily to try regular suits up to the value of Rs. 1,000. Suits over the value of Rs 1,000 are triable by Subordinate Judges. In course of time the work of Subordinate Judges in some districts increased, but not so as to necessitate the addition of another Subordinate Judge. It was then thought expedient to vest a few of the senior Munsifs with the power to try suits up to the value of Rs. 2,000, and the Bengal and North-Western Provinces Civil Courts Act, 1887 (XII of 1887) was passed chiefly with this object. In earlier years this power used to be vested but sparingly, and only in a few districts; and where the increased work was sufficient for another Subordinate Judge, a second or an Additional Subordinate Judge used to be appointed. Thus, then, there were very few Munsifs vested with this power, and this did not interfere with the addition of Subordinate Judges to the *cadre* whenever necessary. The Munsifs also, under the circumstances, considered this addition to their power as a privilege, and did not complain about the additional burden.

"This state of things however gradually altered. A larger number of Munsifs began to be vested with this power to cope with the increase of work, but I hope not to avoid the creation of new Subordinate Judges. At the present time quite a large number of Munsifs of the first grade is vested with this power. This is therefore no longer considered as a distinction or privilege but a burden—a burden that is not but ought to be paid for. In this Province, in almost every district, one or two Munsifs in the Sadar, and even in some mufassal stations, are vested with this power. Practically most of the suits from the value of above Rs. 1,000 up to Rs. 2,000 are now tried by Munsifs with this power, and not by the Subordinate Judges, whose ordinary function it is to try them and whose judgment the litigating public is ordinarily entitled to. To go more into details: of about 5,750 suits yearly triable by the Subordinate Judges in this Province, nearly 3,000 suits are of the value of Rs. 1,000 and upwards up to Rs. 2,000 Of these, about 1,500 suits are now tried by the Munsifs with this extraordinary power. And if provision had to be made for their trial in the ordinary way by Subordinate Judges, at least six such Judges would have to be added to the *cadre*. Twenty-six Munsifs of the first grade in this Province, who are vested with the power, are thus doing about one-third of the ordinary work of the Subordinate Judge, and by this arrangement the necessity of adding to their number has been avoided. Many of these Munsifs have again to do heavy duties under the Land Acquisition Act and the Probate and Administration Act as District Delegates. Therefore it is quite reasonable that these Munsifs for this additional special work should have an additional allowance, which I venture to assess at Rs. 100. Or, if this is considered objectionable, the amount of the allowance may be added to their pay to create a new grade of Rs. 500. Additional allowance like this for special work, and even for training for any special work, is granted to the members of many other services, and it is but just that members of the Judicial Service should be permitted to have this allowance. By the prevailing arrangement the Government has made considerable saving, but the service has received no advantage. If anything, the advantage has been of a negative kind, for Munsifs have been deprived of the possibility of being made Subordinate Judges sooner.

"There are now 208 officers in the Provincial Judicial Service, of whom only 38 are Subordinate Judges, and the period of service is on an average 25 years. Each officer can remain as Subordinate Judge for about 4½ years. If the number of Subordinate Judges was increased by six, as it ought to be, and must be if Munsifs have not to do this work, the period of service as Subordinate

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Judge would have been five years and three months. Thus, by this arrangement, each Munsif loses about nine months of his service as Subordinate Judge, which is certainly a great loss to him. This loss would not be compensated even if the grade of Rs. 500 is created. And there is a strong feeling in some quarters that, instead of proposing this grade, the creation of an adequate number of Subordinate Judges on the usual scale of pay, to try suits of the value up to Rs. 2,000, should be urged. I do not urge this because the Government has, at the instance of the High Court, recently added two Subordinate Judges to the *cadre*, for which we are grateful. One other reason why I do not urge this is because my present proposal would benefit a larger number in the service who have long been doing good work. If this proposal is accepted, and if there are no valid reasons to the contrary, there may, having regard to the views that I have indicated, preferably be a 500-rupee grade of Subordinate Judges and not Munsifs, which would appeal to the sentiments and the imagination of the Service better. The strength of the grade may be 14, as was proposed in the case of the Rs. 500 grade of Munsifs.

"These arguments apply, *mutatis mutandis*, to Subordinate Judges who are vested with powers of Sessions Judges. In their case also, some allowance should be given for their additional work, especially as it involves additional expense to keep up dignity as an Assistant Sessions Judge.

"Next, the question of reduction of the number of third grade Subordinate Judges from 25 to 15 and proportionate increase in the number in the second and first grades. This proposal also has been made upon general principles. The Hon'ble Babu Bhupendra Nath Basu indicated these principles in connection with my resolution at the last budget debate. Much was made by the Hon'ble Mr. Gourlay on the previous occasion of the fact that in the Provincial Judicial Service 18·25 per cent. of officers are Subordinate Judges. Of these, however, 11·06 per cent. are in the third grade, and only 7·21 are in the first and second grades taken together. The Hon'ble Babu Braja Kishor Prasad, in his speech in this Council on 2nd April last, showed that in no other service except the Provincial Executive and Judicial services, is the number of officers in the upper grades so small. I think he might have excepted the Educational Service also. He was then advocating the cause of the Provincial Executive Service only. But the figures given by him show that, while amongst the Deputy Magistrates those in the grades of above Rs. 400 are 23·30 per cent., in the Judicial Service there are only 18·27 per cent. of officers in the superior grades of above Rs. 400. His observations may apparently support the Hon'ble Mr. Gourlay. But he included the Deputy Magistrates and Sub-Deputy Magistrates under one service to show that the percentage in the superior grades over Rs. 400 in this service was 15·61. This inclusion of Sub-Deputy Magistrates within the Provincial Executive Service is not warranted, as the Sub-Deputy Magistrates are always included in the Subordinate Executive Service consisting of five grades from Rs. 100 to Rs. 250.

"In the case of Deputy Magistrates, it should be noted, there is not much distinction in the powers exercised and the work done by members of the different grades. Even many of the Deputy Magistrates of the grade of Rs. 200 are vested with the powers of a Magistrate of the first class, and an officer of the seventh grade does in many cases the same work as an officer of the first grade, while the Munsifs and Subordinate Judges form in reality two separate services, with altogether different work to do. Not only is the jurisdiction of the Subordinate Judge higher than that of the Munsif, but he hears appeals against the decision of Munsifs. Therefore the comparison of the number in the higher and lower grades of the Judicial Service, with that in the higher and lower grades of the Executive Service, is not sound.

"As has been shown above, 11·06 officers of the Judicial service are in the third grade of Subordinate Judges, and only 7·21 in the first and second grades taken together. So that, if the period of service be distributed in each grade in proportion to number in the grade, which is a rough but workable principle for the calculation, it will appear that the Subordinate Judges have the chance of working as such, for only about 4½ years out of 25 years of service,

out of which they will be in the first and second grades taken together for only about one year and nine months, up to the time of their retirement at the age of 55. This could be verified from the history of services of those who are now in the higher grades or who have recently retired. The increase in the number of first and second grade Subordinate Judges, is therefore proposed on strong and practical grounds.

"The Hon'ble Mr. Gourlay seems to think that on comparison the prospects of the Judicial service would not appear to be worse than those of the Executive service. The contrary however is the *fact*, and the members of the Executive service are in many respects better off than their brethren in the Judicial service which, by itself, I, for one, do not grudge.

"The Hon'ble Mr. Gourlay has not attempted full comparison on account of its difficulty. He simply compared the average pay of an Executive officer with that of a Judicial officer. This is not quite a correct principle of comparison. I have a statement of the actual calculation of the pay and prospects of the first six officers of both services as found in the Civil List of October last, from the date of their entrance into the service till they completed 55 years of age :—

TABLE A.

Names of officers, grade, and date of entrance to service.	Age, at which he entered the service.	Period of service at 55 years of age.	Total pay drawn during the period.	Average pay drawn per month.
Provincial Executive Service.	Yrs. M.	Yrs. M.	Rs.	Rs.
1. Edwin McLeod Smith, 1st grade, 10th June 1873.	22 2	32 9	1,65,000	420
2. Maulvi Muhammad Abdul Kadir, 1st grade, 24th December 1871.	20 2	34 10	1,80,600	451
3. Maulvi Takir Hoseiu, 1st grade, 20th May 1873.	21 6	33 6	1,67,250	418
4. Shyama Charan Mitra, 1st grade, 6th November 1873.	22 8	32 4	1,54,280	397
5. Kumud Nath Mukherji, 1st grade, 7th November 1874.	21 11	33 1	1,64,100	410
6. Maulvi Bazlul Karim, 1st grade, 28th August 1877.	24 4	30 8	1,63,600	445

TABLE B.

Judicial Service.	Yrs. M.	Yrs. M.	Rs.	Rs.
1. Jogendra Nath Mitra, 1st grade, 9th February 1880.	27 9	27 3	1,21,300	379
2. Jogendra Nath Mukherji, 1st grade, 21st December 1880.	27 9	27 3	1,20,650	370
3. Aghore Nath Hajra, 1st grade, 26th October 1881.	27 0	28 0	1,32,150	394
4. Mahim Chandra Sarkar, 1st grade, 16th July 1882.	29 7	25 5	1,03,950	337
5. Purna Chandra Chaudhury, 1st grade, 13th November 1882.	29 4	25 8	1,07,050	348
6. Nistaran Banerji, 1st grade, 30th March 1882.	26 4	28 8	1,35,500	393

"The difference would be more accentuated if the period of extension granted be taken into account. While the Sub-Judges get extension of two years only unless they happen to be District Judges, the Deputy Magistrates of the 1st grade get extension generally of four years.

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"What is the reason of this difference? Most of those that find entrance into the Executive Service do so at an early age, say, 22 years on an average, that is, as soon as he finishes his education. But he who enters the Judicial Service must pass his law examination, complete his practice as pleader for three years, and await his turn. He has then to serve his apprenticeship as officiating Munsif for another period of about three years. His entry will be now further delayed because of the change in the Law Examination Rules under which he will have to study for Law for three years instead of two as heretofore, and it is doubtful if by reason of this later entry he will be able to put in the full pension period. This late entrance partly accounts for his short period of service. His brother officer in the Executive Service gets his start at least six years earlier, and he cannot compete with the latter in the long run. It may be different later on if we insist upon our Deputy Magistrates being holders of the M. A. and B. L. degrees, as is the case of Munsifs, or if the period of pleader-apprenticeship be reduced, as it well may now that the Law Examination is going to be even more strict and exacting.

"There is another reason, which is admitted by the Hon'ble Mr. Gourlay and was pointed out by the Hon'ble Babu Bhupendranath Basu. 'The promotion of the officers of the Judicial Service in early years is not so good as that of the Executive Service. Even in former years the promotion was slow.' The first six officers mentioned in table B remained on an average for three years in the 4th grade for Munsifs, seven years in the 3rd grade, as many years in the 2nd grade, and five years in the 1st grade, that is, for 22 years out of the 27 years of service, and they did not draw more than Rs. 293 for pay on an average per month. This state of things still prevails. It was not much altered by the addition in the service made in 1892 (as greater additions were made in the lower than in the upper grades) or by the division of cadre between the two Provinces. A cursory examination of the history of these gazetted officers would show this. Taking the Hon'ble Mr. Gourlay's method of calculation, the period of service in any grade is, other things being equal, proportionate to the number in the grade. If the total period of service of the officers of the judicial line be taken in an average to be 20 years, then there would be eight vacancies per year, and each officer would have to remain in the fourth grade of Munsifs for $3\frac{1}{2}$ years, in the third grade for $5\frac{3}{4}$ years, in the second grade for 6 years, and in the first grade for $6\frac{1}{4}$ years, total $21\frac{1}{2}$ years, in the grades of the Munsifs. They would work as Sub-Judge in the third grade for nearly three years, in the second grade for $1\frac{1}{4}$ years, and in the first grade only for about seven months, after which they complete 55 years of age. One is therefore entitled to say that the prospect of the Judicial service has not improved within the last 30 or 40 years.

"The Hon'ble Mr. Gourlay said that, according to his calculation, the present average monthly pay of a Judicial officer is Rs. 375, while that of an Executive officer is Rs. 370, or five rupees less. This may or may not be nearly correct, and the calculation is more liberal than that set out in the summary of objections to my arguments, according to which the average pay of Judicial officers is less than Rs. $3\frac{1}{2}$ better than that of Executive officers. This method of handling the question is open to serious objections. But even supposing that the correct figure is Rs. 5 and not Rs. $3\frac{1}{2}$, is this nearly enough, considering the relative importance and responsibility of the two services? The answer must be 'No,' and even the Hon'ble Mr. Gourlay's figure supports my plea for betterment of the Judicial service. Moreover, he has not considered the fact that while the Executive officer remains in the service for 33 years till he completes his 55 years of age, the Judicial officer can serve only for 26 years, or six years less. Executive officers have often been known to be for 15 years in and above the grade of Rs. 400, which gives them an opportunity of making more money. While the Judicial officer draws in all, on an average, Rs. 1,17,000 for pay during his service, the Executive officer draws Rs. 1,46,500; and the difference is large. The Quarterly Civil List for January shows that the most senior Deputy Magistrate began service in 1873, so that it is possible for him to draw that 'average pay' for 37 years. But the most senior Sub-Judge began service in 1884.

This difference of 11 years would also make a considerable difference in his total earnings in the service (by about Rs. 40,000), though the Judicial service has the advantage of a few appointments in the first grade at Rs. 1,000 per month on which so much stress is laid. Still, calculating on the line of 'average pay,' it will be seen that the Executive service is the better one. And, if the period of extension and extraneous advantages like free housing accommodation, better travelling allowance, etc., are taken into account, the advantage on the side of the Executive officer would be much greater. It is only by injurious thrift for which it is getting notorious that members of the Judicial service can make the two ends meet.

"It may be urged that, if the Judicial officer cannot serve the Government longer, he cannot expect to draw more as pay during the period of his service. That no doubt is commonsense. But this is not his fault. For reasons pointed out before, he cannot begin his service earlier. Even if he could, it would have been very hard if he were made to serve very much longer than 25 or 20 years. It is notorious that, due to excessive brain work amidst unfavourable environments, many judicial officers die early. Their average longevity is much less than that of officers in many other services. In many cases their health is shattered before they become Sub-Judges; most of them suffer from brain complaint, nervous exhaustion, chronic indigestion and other serious maladies. Administration of justice under higher pressure would be unsatisfactory. High Court pension periods were recently reduced on the initiation of Sir Comer Petheram because it was felt that the best judicial work could not be indefinitely eked out of a Judge's life. A consideration like this ought certainly to prevail in the case of a service doing as difficult and important work on a much lower pay and more stringent conditions and amidst far worse environments.

"The prospect of the service has not therefore improved. On the other hand, several important privileges enjoyed before have been taken away. I would refer to a few of these—

First, Sub-Judges who retired from the service from 15 to 30 years ago worked as a Sub-Judge for about half the period of their service. Many of them were in the first grade alone for about eight to ten years. Now the period of service as Sub-Judge is reduced to less than five years.

Secondly, the Judicial service used to be held superior to all other uncovenanted services. It was only the Sub-Judge who was allowed on retirement, after full period of service, the pension of Rs. 5,000 yearly; while officers of no other uncovenanted services, including the Executive service, could aspire to a higher pension than Rs. 4,000 per year. In this respect the members of both services are placed on the same footing now.

Thirdly, members of the Judicial service were formerly, though long ago, allowed to retire on full pension after only 22 years of service on medical certificate. They are now required to complete 25 years of service before they can claim full pension. Many officers could, at the age of 55 years, complete 25 years of service after the date of their confirmation; and, in many instances, extension was granted to them to complete this period only. It was therefore considered necessary to include the officiating period as part of the service. This is certainly an improvement, and it has been highly appreciated by the service.

Fourthly, the pay of the last grade of Munsifs in former years was Rs. 250, but now the pay is Rs. 200.

Fifthly, notwithstanding the long *Dussera* vacation, the members of the Judicial service were entitled to privilege leave on full pay. This privilege has been long withdrawn, and only privilege leave on half pay is allowed.

"This question of privilege leave is very important and should be discussed at length. The Hon'ble Mr. Gourlay has referred to it. He admitted that the prospects of any service depended much on the amount of leave to which an officer is entitled. The Hon'ble Member has compared the period of leave enjoyed by the Judicial officer with that enjoyed by the Executive officer. In

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this calculation he has made obvious mistakes. It is not a fact that, excluding Sundays, the Judicial officers enjoy 97 holidays in the year, while the Executive officers enjoy only 33 holidays, as the Hon'ble Member has calculated. A cursory perusal of the list of holidays enjoyed by both services would show the mistakes. It is evident that the Hon'ble Member has included within civil court holidays all the holidays in the notification, without excluding those that are allowed only in the alternative in particular districts. For example the holiday table of 1910 would show (1) *Uttarayan Sankranti* is observed as holiday in the Noakhali, Sylhet, and some other districts, in place of *Dashahara Ganga Snan* or *Baruni Ganga Snan* or *Ullarath* observed in other districts (2) *Makar Amabasya* is observed in Saran alone instead of the second day of *Sri Panchami*, (3) *Baruni Ganga Snan*, (4) two days previous to *Ramnavami*, (5) *Ashtami Snan*, (6) *Sital Sasti*, (7) *Dashahara Ganga Snan*, (8) *Snan Jatra*, (9) *Ambubachi*, (10) *Ratha Jatra* holidays, (11) *Mausa Puja*, (12) *Rakhibandhan*, (13) *Ganesh Chaturthi*, (14) *Nabanna*, (15) *Chutt*, (16) *Kole Jatra*, (17) *Ras Purnima*, (18) *Chhatra Mela* are holidays observed in particular districts in lieu of some other holidays. In fact, a perusal of the table would show that on an average the total number of civil court holidays observed in any particular district is 75 only (which include some Sundays), while the number of Executive holidays notified for any district is 42. Besides, under the Board rules, the officers in the Executive service generally get a holiday on the last Saturday of every month. There are also local holidays for each district from 7 to 12 days in the year, which on an average may be taken as 7 days for each district. Those last Saturdays of every month and local holidays thus make up 19 days, and, including them, the total Executive holidays would come up to 61 days or thereabouts. The difference in the holidays of the two services is therefore only 14 days, and if the Sundays falling within the *Dusserah* vacation be excluded from both sides, the difference would be only 11 days. It can hardly be urged that the Executive officers alone may have to work during the holidays while the Judicial officer is usually free from care on these holidays, for the holidays of the Judicial officers are generally employed in writing judgments or studying cases.

"Therefore to compensate this difference of 11 days in the total number of holidays, Executive officers are allowed privilege leave on full pay for one month, which is practically equal to the *Dusserah* vacation of the Civil Courts, with this difference, that while the Judicial officer must enjoy the vacation at a particular time only, whether he requires it or not, the Executive officer is entitled to enjoy full pay leave whenever he requires it, besides having Executive holidays during the days of the actual *Pujas*. No doubt in former years exigencies of services very often interfered with this privilege. But at present this difficulty of getting the leave is largely removed on account of the addition to the cadre.

"This privilege leave is, therefore, a long vacation, and if this be added to the number of Executive holidays, there would remain 19 days to the advantage of the Executive officer. Privilege leave on half pay given to the Judicial officer is not practically a privilege. It is for ordinary purposes of the same kind as medical leave or furlough on half pay, with this difference that the period of these leaves is counted as service. As the Judicial officer is thus deprived of the benefit of real privilege leave, he does not as a rule take the leave unless very urgently required. Judicial officers generally continue to work without taking any leave, to the cost of their health and efficiency. This is one of the reasons why they lose their health soon and meet with premature death. Some relaxation to their hard mental strain should be allowed to enable them to recoup their health and capacity for work. The Puja vacation is not sufficient for this purpose.

"Privilege leave on full pay is not granted to the Judicial officers only on the ground that they enjoy long vacation. The only other service in which this is the case is the Educational Service. But the members of the superior grade for Educational service enjoy long vacation twice in a year and the Summer vacation extends from two to three months, so that there cannot be any

comparison in point of long vacation between these two services. Considering all these circumstances therefore, privilege leave on full pay can be very reasonably urged on behalf of the Judicial Service.

"When dealing with the question of leave it may be noted that Judicial officers are not allowed to join their privilege leave or any other short leave with the Puja vacation, under ordinary circumstances. If this concession were allowed, it would not entail any loss to Government or any disadvantage whatever to the service, but it would be of very great advantage to the officers themselves, and they would take privilege leave oftener owing to this advantage. During the vacation or holidays which they want to join with their leave the charge of the office may be left with the Sarishtadar or other officer, and only for the working days there would arise the necessity of appointing an officer to officiate for him. The District Judges avail of this advantage, and it does not appear why the Subordinate Judicial officers are deprived of it.

"The Hon'ble Mr. Gourlay referred to the prize appointments of both the services. He said that of the seven prize appointments, four are held by the judicial officers and only three by the executive officers. Here also the Hon'ble Member has erred. As the Hon'ble Mr. Duke later on admitted, in the Executive Service there are about half a dozen prize appointments, which also seems to be an error. The list of prize appointments of both services would be something like the following:—

Judicial Service.	Executive Service.
4 District Judges.	3 District Magistrates.
1 Calcutta Small Cause Court Judge.	1 Calcutta Collector.
	1 Inspector-General of Registration.
	1 Junior Secretary, Board of Revenue.
	1 Under-Secretary, Financial Department.
	2 Presidency Magistrates
	1 (recently created Personal Assistant to the Legal Remembrancer who is in charge of the Judicial Department).
5 in all.	10 in all.

"Comparing the pay of the District Magistrate with the District Judge in their prize appointments, we see that the District Magistrates recruited from the Subordinate Executive Service get two-thirds of the pay of Civil Servants, viz., Rs. 1,000 in the third grade, Rs. 1,200 in the second grade and Rs. 1,600 in the first grade; while the District Judge recruited for the Subordinate Judicial Service gets Rs. 1,200 in the third grade, Rs. 1,600 in the second grade and Rs. 2,000 in the first grade, to which grade the Judicial officer hardly ever attains. If the pay was two-thirds of that of the Civilian District Judges, then the proper figure would be Rs. 1,333 in the third grade, Rs. 1,666 in the second grade and Rs. 2,000 in the first grade. Moreover, in the Executive Service there are other openings, such as Managerships to large zamindari estates and encumbered estates and under the Court of Wards, Secretaryship to the Calcutta Corporation, and other appointments which carry good allowances, while Judicial officers have no such openings.

"The case for improvement is therefore clear, and some of the more important heads under which these improvements would fall would be as follows:—

"1. *District Judgeships.*—Only four are now reserved for the Provincial service, of which one is now held by a Statutory Civilian. More appointments should, we submit, be reserved for the Provincial service. Several new District Judgeships have been created of late, such as at Darbhanga, Khulna, Purulia, and Sambalpur. Some of these might have been reserved for the Provincial service, and if this proposal be accepted, it would not affect the Indian Civil Service in any way.

"The appointments are graded as follows: 1st grade, Rs. 2,000; 2nd grade, Rs. 1,000; 3rd grade, Rs. 1,200. It is noteworthy that not a single officer has yet got into the 1st grade. For the purpose of appointments to these reserved

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posts, they practically form a separate service, and no new Sub-Judge can get in till one of these four posts falls vacant. As regards promotion from one grade to another, the posts form one service. None of them can get into the 1st grade till all Indian Civil Service Judges, who are senior to them, have been promoted to the 1st grade, and none can get into the 2nd grade till all the Indian Civil Service Judges, senior to them, have been promoted to the 2nd grade in their service. It is well known that Sub-Judges became District Judges when very old, so that the Indian Civil Service Judges in the same grade are all younger in age, though senior in service. The result is that the District Judges from the Provincial service have to retire early, though low in the list, and in course of time it will be impossible for any of them to get into even the 2nd grade, if the existing practice continues. Messrs. Tej Chunder Mookerjee and Jogendra Nath Mookerjee, the other Provincial Service District Judges, are low in the 3rd grade, and will have to retire shortly; and as there are many Indian Civil Service District Judges younger to them in age who are senior to them in service they have no chance even of getting into the 2nd grade. The 1st grade is absolutely beyond their reach. Promotion of these officers from one grade to another should be independent of the promotion of the Indian Civil Service District Judges. Let there be one post in 1st grade, one in 2nd grade and two in the 3rd grade always filled up by members of the Provincial Service, so that one will be drawing Rs. 2,000, one Rs. 1,000 and two Rs. 1,200 (unless the more equitable figures indicated by me before are accepted) because they are not and can have no hope of being senior to the Indian Civil Service District Judges. It would not be out of place to draw attention to the growing and unaccountably weakened condition of the District Judiciary. Of late years the strongest members of the Civil Service have, for some reason or other that ought to be carefully inquired into and guarded against, drifted away from the Judicial branch of the Service; and as the District Judiciary cannot be otherwise strengthened immediately, picked men from the Subordinate Judicial Service should be drafted on to it. Another way of immediate strengthening would be direct appointment of picked and able members of the Bar to the higher appointments on reasonable pay. Somehow or other a suggestion like this that was made some time ago has not yet commended itself to the authorities, though two additional Sub-Judges have been allowed by the Government of India of late. In order properly and really to strengthen the District Judiciary for all time, the existing modes of recruitment, right at the beginning, will have to be radically changed. It is a large and important problem that will soon have to be handled and faced, and cannot be treated as a side issue here. Till this is done more Sub-Judge appointments and local Bar appointments may well be pressed on the attention of the authorities.

"2. *Officiating District Judgeships.*—When District Judges take short leave the officiating appointment is never given to a Sub-Judge, and only if the District Judge was a member of the Provincial Service, is it given to an Assistant Sessions Judge. But in the case of District Magistrates, such appointments are given to Deputy Magistrates freely. The same practice may be followed in the case of the Judicial Service.

"3. *Calcutta Small Cause Court Judgeships.*—Only one is now open to the Provincial Service. Some more of these Judgeships may, with advantage, be reserved for the Provincial Service.

"4. *Personal Assistant to the Registrar, Appellate Side, High Court, or Deputy or Assistant Registrar.*—A Sub-Judge may well be appointed to one of these posts. In that case the High Court will be able more effectively to control and supervise the work of the Mufassal Courts, and the grievances and inconveniences of the Provincial Service would be much better represented to the High Court.

"5. *Personal Assistant to the Legal Remembrancer.*—Anybody who has experience of Mufassal Courts knows how Government civil suits are unsatisfactorily managed there. Creation of such an appointment and appointment of a Sub-Judge to the post is sure to result in improvement. It is noteworthy that within the last few days an important and far-reaching change

has been made in the Bengal Secretariat. Owing to severe stress of work, the Chief Secretary had to be relieved of some of his work which has gone to the Judicial Secretary, and a portion of his work has been transferred to the Legal Remembrancer. The Legal Remembrancer is always a District Judge of experience and standing, and, under this new arrangement, which is a constitutional change of vital importance, which has not been adequately noticed by the public, the interests of the Service ought to be better cared for. The Personal Assistant, who has been deputed to assist the Hon'ble the Legal Remembrancer in his new work, is a capable and experienced member of the Provincial Executive Service, who must have been selected in view of his power of organisation and experience of office work. When the new department is in full working order—as it no doubt will soon be—the reasons would have to be very strong indeed for not deputing to the new office an equally capable member of the Provincial Judicial Service. Apart from this new creation, there is a strong case for appointment of a Personal Assistant to the Legal Remembrancer to assist him in his work proper, and he may well be a Subordinate Judge.

"6. Assistant Sessions Judges and Munsifs vested with powers to try suits up to Rs. 2,000 should be given an allowance, say Rs. 100 per month, unless in the case of the latter a new grade is created as claimed above. Deputy Magistrates on special duty or in the Excise or Settlement Department always get such allowances, as also some employed in batwara and land acquisition work.

"7. Rupees 250 should be the pay of the last grade of Munsifs, and only Officiating Munsifs should get Rs. 200. The pay of the lowest grade of the Deputy Magistrates was Rs. 250 only a few years back before the 'levelling down.' As a Deputy Magistrate may begin service just after passing his B.A. examination, it is no hardship if he begins with Rs. 200. A Munsif can only get a permanent appointment when he is about 30 years of age as shown above, at which age a Deputy Magistrate would be drawing Rs. 300.

"8. *Temporary promotions.*—In other departments temporary promotions are allowed when any officer in the upper grade takes leave, but members of the Judicial Service never get it.

"9. *Travelling allowance on transfer.*—No distinction is made in the rates of the travelling allowances, in case of 'transfer' and 'tour.' But when transferred one has to take his family with him and heavy luggages, which entails heavy expenses. Here, again, the Executive Service, the members of which have mostly to move about alone on tour, has great advantage over a judicial officer, who seldom moves except on transfer, and some higher rate of travelling allowance is necessary in cases of transfer. A Deputy Magistrate who is in charge of a sub-division, however junior he may be, even if a member of Rs. 200 grade, gets 1st class travelling allowances, that is, double of what is allowed to a Munsif drawing Rs. 400.

"10. *Munsifs' quarters and house allowance.*—Where Government has built quarters, very high rate of rent is charged, as I pointed out in previous years, though Sub-divisional officers get free quarters. Even in Calcutta house allowances are allowed to highly-paid officers, but nothing to Judicial officers even at stations where house-rent is quite prohibitive.

"11. *Joining time.*—Sometimes Judicial officers transferred are ordered to join within a specified time. This causes great inconvenience. Such transfers are often sudden and quite unexpected, and officers have to sell their things at a loss and start at short notice, 'sometimes even leaving their clothing behind with their washerman,' as a Munsif once pathetically remarked to me. They should either be allowed to avail themselves of full joining time or be given at least three weeks' notice of the intended transfer.

"12. Government officers are entitled to free medical assistance, but much hardship is caused, as similar concessions are not allowed to their wives and children. It would cause very little extra expense to Government, and it would give much relief to the officers.

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"13. *Tacking leave with Vacations.*—It would cause no loss or extra expenditure if Judicial officers are allowed to prefix and affix leave of all kinds to the vacation. Cases are not rare in which Judicial officers at home during the vacation are unable to join after the holidays owing to illness or such other causes and finds his vacation compulsorily converted to leave on half pay and has to refund pay already drawn. They are not now allowed to join the privilege leave with the Puja vacation. If this is allowed as in the case of District Judges, there cannot be any additional cost to the Government. The officiating officer will have to work only during the period of leave of the permanent incumbent, and during the vacation the Sarishtadar or any other officer may remain formally in charge as has been pointed out previously.

"14. *Extensions of service.*—Sometimes an officer who has completed the full period of service for pension and has been drawing the maximum pay for years get extension after extension, while other officers who have not even completed full 25 years' service are compulsorily retired.

"15. *The number of Munsifs.*—At almost all stations the number is short, and officers have to overwork themselves to the detriment of their health. In the case of peons the High Court has laid down a scale according to which they are required to serve a fixed number of processes. In the case of muharrirs, the report of Messrs. Toynbee and Stevens laid down a similar scale under which each of them was required to deal with over 1,200 records a year, and additional muharrirs are entertained when work is heavier. The result of the latest commission for the reorganisation of their service has been still more liberal to them as regards the quantity of work to be done. But in case of Judicial officers there is no such scale laid down and all are overworked, and there are officers who have to decide more than 5,000 cases in a year.

"16. *Confidential reports*—About which an officer is allowed to know nothing and in respect of which the officer gets no opportunity of explaining—are another cause of very great hardship.

"17. *Decorations.*—A number of Executive officers have been 'decorated' with titles, but not a single member of the Provincial Judicial service while in service.

"18. The designation 'Munsif' is associated with old-time officers, whose status and traditions were not high, and the designation is still not held in high esteem. Could not some other name be thought of ?

"19. *Appointment of Amlas and Peons.*—The privilege has been taken away from the Judicial officers and given ostensibly to the District Judges, but it is really exercised by his Sarishtadar, Head Clerk or Nazir, and has become the cause of much complaint which can easily be removed if the appointments are made on the nomination of the Judicial officers instead of the report of some ministerial officer. The Hon'ble Mr. Gourlay's comparison with the Executive service is not convincing, for the Munsifs and Subordinate Judges' office are and ought to be self-contained.

"20. *Orderlies.*—At present the Sub-Judges have got two orderlies and Munsifs have one each. The number is quite insufficient and inadequate, considering the duties they have to perform, viz., (1) punch court-fee stamps, (2) stamp all papers filed with dates and court seals, (3) call parties, (4) call witnesses and administer oaths, (5) call pleaders often from a distance, (6) take order-sheets and deliver to the pleader to get them signed, (7) carry records and papers from one office to another, and (8) maintain order in the Court-room. It is impossible for one or two orderlies to do all this work. The officers have therefore to depend on the Nazir for favour of having some peons deputed to do such work. Any one who has got some experience of the Courts knows what a source of trouble it is, and how often the presiding officers are put to great inconvenience for want of peons. The number of orderlies should be increased, and as there is a large saving of process-fees to Government, the extra expense can be met out of that fund.

"21. Promotions and the filling up of vacancies ought to be sooner notified so that full and timely benefit may enure to those concerned. Cases are not unknown when the officer that would have been benefited by the change had to retire before its announcement.

"I have to apologise for the length of my observations which was inevitable, having regard to the importance of the subject and its attendant difficulties. The improvements will all be costly; but if they are necessary they have to be effected somehow and from time to time. Civil litigation entails no expenditure on Government, and the machinery and agency that administer justice have a first lien on its profits, in its own interest, in the interest of the Government and in the interest of those that contribute such profits—nearly 42 lakhs of rupees a year. If there be, as I submit there is, a clear case for improvement, these funds ought to be partially at least available for such improvements. And a portion of the profits may well go towards reducing the costs of litigation, and increase of such costs ought not to be suggested the moment that necessary improvements are suggested. There are, for example, disquieting rumours about raising Original Side fees under colour of framing fresh rules under the Civil Procedure Code. Should such a step be contemplated and should the costs of this particular form of litigation be further increased, better far that Calcutta should soon have a District Court. The Hon'ble Mr. Duke observed—in reply to me—in another connection during the last Budget debate, namely, the improvement of the Executive service:—'I would point out that all improvement is a question of money, and that the money required is to be obtained not from *any mere abstraction called the Government* but from the general tax-paying public.' This particular observation is fortunately not available to the Hon'ble Mr. Gourlay for the present purpose. It is not the *mere abstraction called the Government* that we call upon to pay for these improvements, which the litigating public want as badly as any one else. They who are the 'tax-paying public for the particular purpose' have long been putting into the Exchequer much more than the requisite funds which cannot and ought not to be otherwise diverted. Have they therefore not more than a claim?"

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN said:—

"IT gives me great pleasure in supporting the resolution so ably moved by my friend, the Hon'ble Babu Deba Prasad Sarbadhikari. I respectfully seek the indulgence of the Council to permit me to add a few observations to those already made by the Hon'ble Mover. It can hardly be doubted that the members of the Judicial Service have been entrusted with extremely responsible duties, and the public is naturally vitally interested in an efficient maintenance of the service, but the question is whether the service, as it stands at present, is in that efficient condition. If we are to look into it in the light of the recent discussion in the Press and in the light of the official admission made on the 4th of April, 1908, by the Hon'ble Mr. Streatfeild, the late Judicial Secretary to Your Honour's Government, in this very Council, it is obvious that we cannot own that the condition is efficient, though the Hon'ble Mr. Gourlay was pleased to paint the picture in a different colour in his reply to the discussion of the resolution by the present Hon'ble Mover himself during the last session of this Council. The admission made by the Hon'ble Mr. Streatfeild was in the following words:—

'I can only say that the Government is fully aware that the officers of this service have genuine grievances; that their case is receiving consideration, and that any reasonable proposals for the removal of hardships will receive sympathetic attention.'

"Now, may I take the liberty of inquiring whether since the time this candid admission was made in this very Council anything practical has actually been done or even contemplated either by Your Honour's Government or by the Hon'ble High Court, which is chiefly responsible for the efficient maintenance of the Subordinate Judicial Service, for the removal of any of those 'genuine grievances'? I am afraid nothing of the kind appears to have been done, though I may be permitted to say that, in view of the admission of the 'genuine grievances,' it was highly necessary that something should have already been done.

[*Maulvi Saiyid Muhammad Fakr-ud-Din.*]

"On the occasion of the last discussion on the subject, the Government through its Judicial Secretary, no doubt, considered it advisable to practically assert the non-existence of any need for any reform and improvement, but I may humbly assure Your Honour that the assertion has failed to create the impression which it evidently sought to do, so far as the public solicitude for a continuity of efficient condition of this service is concerned. On the other hand, it would be found that the official attempt to minimize the matter has only led to a pretty wide discussion of it in the public Press throughout the country.

'The *Amrita Bazar Patrika* remarked in one of the issues :—

'It is, however, to be regretted that the debate initiated by him (The Hon'ble Babu Deba Prasad Sarbadhikari) proved infructuous, and the reply given by the Hon'ble Mr. Gourlay, the present Judicial Secretary to the Government of Bengal, was most disappointing. The Hon'ble Mover pointed out the necessity of reform, basing his arguments on the candid admission of "genuine grievances" by the late Judicial Secretary, Mr. Streatfeild. But the present Judicial Secretary denied the existence of any need for improvement at all, which, in other words, meant that he contradicted his own worthy predecessor in office as to the genuineness of the grievances.'

"Then, again, the same paper in another issue remarks :—

'An impression has somehow come to prevail that the Government is not so attentive to the grievances of its Judicial Service as it is to those of its Police and Executive Services, though, as we observed the other day, the Judiciary in this country may well be considered to be the very keystone of the arch of the British Indian Empire.'

"The monthly journal, *Muslim Review*, in one of its issues remarks:—

'But notwithstanding the sympathetic attitude of the Hon'ble Mr. Streatfeild and his subsequent reminders in an unofficial way, he is not aware that any notice of them has, within the last 12 months, been taken either by the Government or by the Hon'ble High Court, except with regard to some minor matters. It is not therefore surprising that an impression should prevail that the Subordinate Judicial Service is the Cinderella among Government services, and that it is made to starve ere any other branch of Government service is permitted to want.'

"It may be argued that since for years past the present scales of pay of the officers concerned have continued without any apparently serious protest from any quarters, why the same should now be changed and increased. Indeed, a very few words are needed to carry conviction as to the imperative and absolute necessity for the alteration in the existing scales of pay. Since it is well known to all of us that about a quarter of a century back our needs of life were smaller, and we could get all the necessaries of life at much cheaper rates and we could educate our children at much smaller costs, there is to my mind nothing extraordinary in the demands for higher remuneration for every kind of labour. Like private individuals, the Government officials too in years past had smaller needs of life and could do anything and everything under their old rates of income, together with probably a ready decent balance to their credit at the bank. Unfortunately the same happy state of things cannot be said to exist in these refined days. Even the official answer, I fear, cannot be in the negative. It is true the State has every right to observe, every economy in securing hands for its labour, but at the same time I submit to Your Honour that while observing the principles of economy, the State has various matters to take into consideration. As the governing authority, it cannot afford to shut its eyes to the increasing demands in the directions of expenditure for leading a decent existence. Any attempt or desire to ignore this fact while securing hands for public duties can legitimately be characterised as wholly inconsistent with higher functions and higher responsibilities that the State necessarily has got upon itself. Without, however, attempting to trace the causes which are responsible for the existing differences in the cost of past and present living, I may at once say that the demand for the higher rates of salary is in no way unjust; its reasonableness is manifest on the very face of it, and as such the Government should be pleased to give its earnest and most sympathetic consideration to the whole matter, and need not regard the discussion of the same in the Press or in this Council in the light of a political agitation.

[*Maulvi Saiyid Muhammad Fakr-ud-Din.*]

"Specific proposals for regrading the whole service have been made by different writers in the Press and in the pamphlets, and I have no doubt attention of Your Honour's Government must have been drawn to them; so it rests with Your Honour and the Hon'ble Judges of the Calcutta High Court to choose and select any one most suited to the financial conveniences of the Government. Permit me, Your Honour, to respectfully observe that financial difficulties have too often been urged in delaying many useful reforms which we stand in very urgent need of, but in this special case, it will have to be admitted, a reasonable demand for an additional annual expenditure should not be refused, especially in view of the fact that the administration of civil justice yields a considerable income to the Financial Minister.

"In the matter of reorganisation of the whole service, my opinion is that if it is sanctioned and this service is placed on a footing similar to the Executive Branch of the Provincial Civil Service, it would be far more desirable. The present system under which Munsifs are trained for higher functions, such as those attached to the posts of Subordinate Judges, Assistant Sessions Judges and of the District Judges, respectively, is hardly one that would meet the requirement of a good training.

"Under the present arrangement Munsifs are to deal with suits of the value of Rs. 1,000 for the major portion of their service life, *i.e.*, not less than 15 to 20 years and after having decided for so many years comparatively petty cases, some of them, who are fortunate enough to become Subordinate Judges are suddenly called upon to handle some of the most important cases and hear appeals from Munsifs' judgment. The illogical and anomalous character of the existing system is manifest by the fact that Munsifs of all the four grades have to exercise the same powers. An officer appointed to-day exercises the same power as an officer of 15 years' standing; then one day he is called upon to handle some of the important cases of unlimited value.

"At the initial stage it is no doubt unsafe to trust an officer with high powers, but there should be a reasonable limit to such initial stage or else there can hardly be a proper training for higher functions. If the whole Judicial service be classified into several grades and each of the officers be vested with power to try suits of certain value graduated for that purpose according to his seniority, I believe that the gradual training will make these officers more efficient.

"There are many grievances of the Judicial officers and I had the fortune of enumerating a few of them in my speech on the occasion of the final discussion on the Budget during the last session in this Council, and as they have been so fully and elaborately discussed by the Honourable Mover of the Resolution to-day, it is needless for me to discuss each of them specifically, but, with your Honour's permission, I may draw your Honour's attention to the unfair rules in the Civil Service Regulations affecting the rights of the Munsifs and Subordinate Judges to one month's privilege leave.

"It is hardly conceivable why these gazetted officers should be denied the right of 'privilege leave' for one month after a laborious mental service for the long course of a year. I understand this has been denied because of the annual Puja holidays, but it will have to be admitted that the Puja holidays are the religious concessions to the people and yet the officers have to suffer. The necessity of privilege leave to judicial officers can be more keenly felt in this service than in other graded services for the simple reason that continuous labours should necessarily be followed by a short rest which need not be necessarily required by all at a fixed period in the year.

"We have learnt with satisfaction that some liberal concessions have been made in favour of the Bengal Opium Service in the matter of leave rules and regulations governing the Sub-Deputy and Deputy Opium Agent. We hope that when one Department under Government has received liberal concessions, similar treatment should be accorded to the officers of Judicial Department who are more hardworked than the opium officers.

"Sir, there is one more point to which I wish to allude and which will show that the members of the Provincial Executive Service are far better off than

[*The President; Mr. Saiyid Wasi Ahmad.*]

those of the Judicial Service. In the former, only the degree of Bachelor in Arts is a sufficient qualification for the appointment, while in the latter to make one-self eligible for the post of a Munsif he has not only to obtain the B. A. degree, but he has further to study law for three years under the present University Regulation, and even then the degree of B.L. is not enough for him, he has to practise as a lawyer for more than three years before he can expect a probationary appointment as a Munsif, and it is only very rare that a pleader is able to get the first appointment before he has practised for about five years.

"Then again the officiating Munsif has to serve on probation for about two or three years, before he can hope to be confirmed. Thus a Munsif does not get his permanent appointment, before he is over 30 or 31 years of age Under the present rules of the Calcutta University it is impossible for one to obtain a degree of Bachelor in Law before he attains the age of at least 22 years, and as he has to practise for more than three years to make himself eligible for the appointment it is impossible for the majority of the pleaders to get admission into this Department.

"Then again the age given in the certificate of the University Entrance Examination however wrong it may be is very strictly taken into consideration in the appointment of a Munsif while in the Provincial Executive Service, on sufficient proof of the real age of the candidate the age given in the University certificate is not taken into account.

"With these remarks I conclude and hope that the genuine grievances of the Subordinate Judicial Service will receive full attention by your Honour's Government, and an early removal thereof will only be an act of bare justice to the hard worked officers of the service for an efficient maintenance of which I respectfully assure Your Honour the whole country has always been and will ever be most anxious, for it is to the Subordinate Judiciary, Executive and Judicial both, that we have to look up to for justice at the initial stage of our requirements. Unless our officers are content with their lots they can hardly be expected to dispense British justice in that judicious temperament which is so indispensible for them to possess."

The PRESIDENT then called upon the Hon'ble Mr. Saiyid Wasi Ahmad to move the following amendment to the foregoing Resolution, of which the Hon'ble Member had given notice, so that the Resolution and the amendment might be discussed together.

The Council respectfully recommend to the Lieutenant-Governor that the question of improving the pay and status of the Subordinate Judicial Service, *as well as of the Provincial and Subordinate Executive Services*, be taken up, and that early representations be addressed to the Government of India with regard to such suggestions for improvement, made from time to time in this Council, in the Press and through other channels, as may commend themselves to His Honour's Government, in order that provision therefor may be included in the next Provincial Budget.

The Hon'ble MR. SAIYID WASI AHMAD said:—

"Your Honour—The amendment that I have the honour to move is a mere addition to the Resolution of my hon'ble friend, Babu Deba Prasad Sarbadhikari. It aims to draw Your Honour's attention to steps being taken by your Honour's Government for the amelioration and improvement of the Executive Branch of the Provincial and Subordinate Services. So both of us are practically pressing for the improvement of the same service, though of different branches. I have, therefore, no reason to differ from the Resolution in the main. On the contrary, it has my full sympathy and hearty support. It was for this reason that I have intentionally kept in my amendment the wording of the Resolution intact, the amendment being introduced in the midst of the Resolution at its proper place and shown in italics. It was after I sent in my amendment that I received a copy of the speech of my hon'ble friend, the mover of the Resolution, and after a careful reading of it I must say that I was disagreeably surprised to find the method he has adopted throughout his speech in support of his Resolution. He has, Sir, to my mind, built up a case at the sacrifice of the Executive Branch of the Provincial Civil Service.

[*Mr. Saiyid Wasi Ahmad.*]

Almost throughout his speech he has compared the two services, and thereby shown that the members of the Executive Branch of the service are better off than the members of the Judicial Branch, and hence he advocates for improvement in the latter service. Sir, comparison is always odious, and I have never built up a case on the weakness of the other party. I have a firm belief in the well-known dictum that a case must stand or fall on its own merits. And in enunciating my amendment for the sympathetic consideration of Your Honour, I hope I shall be able to satisfy Your Honour and this Council that improvements are absolutely necessary both in the Provincial and Subordinate Executive Services, independent, of course, of any comparison with any sister services of the Province.

"Your Honour, first of all I have to offer a few observations on the speech of my hon'ble friend. He has, to my mind, omitted to draw Your Honour's attention to one important grievance of the Munsifs and Subordinate Judges. A District Judge has now no power to grant even one day's leave to them, and in cases of emergency it causes excessive hardship and inconvenience if these officers have to wait for the High Court's permission to leave their stations. I, therefore, suggest that the District Judges be empowered to allow casual leave to Munsifs and Subordinate Judges in the same manner and for the same period as the District Magistrates can allow casual leave to the Deputy Magistrates at present.

"Again, his comparison of the two services shown in Tables A and B referred to in his speech, if not inaccurate or incorrect, is at least exceedingly unfair on the following grounds:—

(*a*) A Deputy Magistrate does not enter service with the same advantages as a Munsif. He cannot be confirmed unless he passes the two departmental examinations, which usually take about two years, failing which he is liable to be dismissed from the service.

(*b*) Table A in the speech of the Hon'ble Babu Deba Prasad Sarbadhikari takes the cases of Deputy Magistrates who were appointed at a time when it was not necessary that they should be graduates, and therefore we find that none of the six Deputy Magistrates named in the table are graduates. It is no wonder, therefore, that they could enter service so early in life.

(*c*) The Deputy Magistrates mentioned in Table A were appointed at a time when the number in the lower grade never used to be so large, and therefore they were promoted to higher grades in much shorter time.

(*d*) The number of years of service taken in striking out the average is not the same in both the cases.

(*e*) The period of the extension of the Subordinate Judges when they draw more pay than the Deputy Magistrates on extension is not taken into consideration.

(*f*) The three years' income from practice of the Pleaders before joining service has not been taken into account.

"A careful calculation of the pay and the prospects of the officers in both the services drawing Rs. 600 a month will clearly show that the arguments advanced by the Hon'ble Babu Deba Prasad Sarbadhikari and the analogy drawn from his two tables are not sound, and that promotion in the Executive Branch of the service is practically blocked up, and I draw Your Honour's attention to the following tables which I have prepared for this purpose. I have taken the cases of the last five officers who at present draw Rs. 600 a month in both the Judicial and Executive Services.

[*Mr. Saiyid Wasi Ahmad.*]

TABLE A.

Judicial Branch.

Names.	Year when born.	Year in which joined service.	When confirmed in the service.	When promoted to the 3rd grade, Rs 600.	It took how many years from joining the service.	It took how many years from the time of confirmation in the service.	Age when promoted to this grade of Rs 600.	Remarks.
Charu Chandra rjee, B.L.	1860	1891	1892	1909	18	17	49	These officers will take only three years in reaching the next grade of Rs. 800, and one or two years in reaching the first grade of Rs. 1,000 on the analogy of three of the officers who are now District and Sessions Judges, namely— (1) Mr. Shoshee Bhusan Chaudhuri, M.A., B.L. (2) Mr. Tej Chandra Mukherjee, M A, B.L. (3) Mr. Jogendra Nath Mukherjee, B.L. The second officer, Mr. Tej Chandra, reached the first grade in two years, and the third officer in one year only.
ebendra Bejoy L.L.	1859	1889	1892	1909	20	17	50	
assanna Kumar B.L.	1860	1891	1892	1909	18	17	49	
at Chandra Pal,	1859	1891	1892	1909	18	17	50	
hari Lahiri, B.L.	1859	1890	1892	1909	19	17	50	

TABLE B.

Executive Branch.

Names.	Year when born.	When joined service as Deputy Magistrate.	When confirmed as Deputy Magistrate.	When promoted to 3rd grade on Rs. 600.	It took how many years from joining the service.	It took how many years from the time of confirmation in the service.	Age when promoted to this grade of Rs 600.	Remarks.
Chandra Sekhar L.A.	1862	1885	1890	1910	25	20	48	In what time these Executive officers are likely to reach the corresponding grade of Rs. 800? On the analogy of Babu Khogendra Nath Mitra, Maulvi Bazlal Karim and Babu Kumud Nath Mukherjee, they will take eight or nine years. But the first four have only seven or eight years to serve (the fifth not having any chance at all), unless they are suffered to serve after they have reached 55 years of age, they cannot expect to draw Rs. 800 at all, while the members of the Judicial Service will draw Rs 800 as well as Rs. 1,000. This is the case of the officers who entered the Executive Branch as Deputy Collectors in 1885 and 1886 when they drew Rs. 250 as soon as they were confirmed in their service and when there were fewer officers in the lower grades. Those who are now appointed as Deputy Magistrates and Deputy Collectors have to pass through a new grade, the eighth grade, of Rs. 200, and have many more officers above them than there were before. It follows that by the time they reach the grade of Rs. 600 or Rs. 650, they must prepare to retire. When the Executive Branch has 862 officers divided in eight groups with only 83 in the first three groups, and the Judicial Branch only 185, excluding the probationary grade with 41 in the first three grades, the above result is bound to follow.
Srish Chandra , B.L.	1862	1886	1889	1910	24	21	48	
Saroda Prasad r, M.A.	1863	1886	1888	1910	24	22	47	
Sangsidhar Baner- L.	1861	1886	1889	1909	23	20	48	
Nagendra Nath r, B.A.	1856	1880	1885	1910	30	25	54	

"Now, for the purposes of my amendment, I shall take up the members of the Executive Branch of the Provincial Civil Service—

Deputy Magistrates.

"According to the latest Civil List of July, 1910, we have got 399 Deputy Magistrates, including the probationers. The number of appointments in different grades is :—

Grade.					Number.
1st	...	...	...	...	6
2nd	...	...	...	...	8
3rd	...	...	...	...	19
4th	...	...	...	...	57
5th	...	...	...	...	84
6th	...	...	...	...	86
7th	...	...	...	...	50
8th	...	...	...	...	52
			Total	...	362
			Probationers	...	37
			Total	...	399

"The number of Deputy Magistrates actually in work, for the probationers hardly do any substantial work, is 362, and they may be divided into four classes :—

1st.—Deputy Magistrates working as Personal Assistants to Commissioners.

2nd.—Deputy Magistrates holding charge of subdivisions, including Magistrates in charge of Sadar subdivisions.

3rd.—Deputy Magistrates working in special Departments, such as—

(*a*) Batwara.
(*b*) Land Acquisition.
(*c*) Excise.
(*d*) Settlement, etc., etc.

4th.—Deputy Magistrates working in general line, that is, doing case-work in addition to other Miscellaneous Departments, including Treasury, attached to them.

"It will thus appear that Deputy Magistrates as a class have not got uniform and the same kind of work. It would, therefore, be just and proper to regulate their pay and status according to the class of work allotted to them.

"Taking the service as a whole, there is no gainsaying that its members have got legitimate grievances of the nature that improvements are absolutely necessary, and they ought to be attended to without much further delay. In this connection, Sir, I cannot do better than to quote the words of the Hon'ble Mr. Duke from his speech delivered in this Council during the Budget discussion on the 4th of April, 1910. In reply to the Budget speech of my hon'ble friend, Babu Braja Kishor Prasad, he said:—

'I am not happy that I have been put in the position of arguing against the Provincial Executive Service. I do not suggest that they have no grievance, but I do assert that these grievances must be brought up in a reasonable and considered manner, if Government is to accept them. There is no evidence that discontent is prevalent, and I deny altogether that any inference of ill-treatment of the service can be drawn from the sort of arguments from figures which have been produced just now. It is quite possible that an examination of the figures may prove that in proportion to other services the number of high prize appointments is too limited; but if that is to be established, it must be established on quite different grounds and on quite different data than those which have been put before us to-day.'

"Your Honour, the above statement of a high and trusted officer of your Government discharges me at least from one important onus, viz., that the members of this service have got grievances. All that the Hon'ble the

Chief Secretary then thought was that from his point of view they were not brought up in 'a reasonable and considered manner' for the Government to accept them.

"It cannot be disputed that of late we have been witnessing a revolutionary change in the mode of living here. It has now become exceedingly difficult to live decently on limited and small incomes, and I would not be exaggerating if I say that quarter of a century back a respectable gentleman lived more comfortably and happily on Rs. 200 a month than one who now gets Rs. 500 or Rs 600 a month. It is inconceivable, Sir, how a Deputy Magistrate on Rs. 200 or Rs. 300 a month can now live in the same style and command the same respect and position in society as a Deputy Magistrate on the same pay lived, say, 20 or 25 years back. Constant famine and scarcity, extraordinary medical expenses, rise in price of food-grains, wages of servants and house-rent, expensive bringing up and education of children—especially after the passing of the University Act—expensive clothing,—all contribute to the living of a poor Deputy Magistrate from hand to mouth, and in most cases they die penniless and in debt and leave their children destitute to starve. Sir, on these grounds, Your Honour's predecessor, Sir Andrew Fraser, very justly considered the grievances of the Police Force and increased their pay, involving an expenditure of a large sum of money every year. The salaries of even the Ministerial Officers have been increased during your Honour's time. And I for one do not see why the pay of poor Deputy Magistrates should not be increased. The sort of work they are called upon to do, I mean the performance of criminal administration, the peculiar position they hold in a sub-division or a district, the contact they have with the people and public, almost force them to a fairly expensive living, so that they may keep up their position and dignity to an extent befitting an officer administering criminal justice. I hope I will not be charged with mere sentiment. Any one who has lived in mofussil towns and carefully studied and watched the life these must come to the conclusion that I have arrived at. And, Your Honour, on whom does the bulk of Revenue Administration lie, who is responsible for the efficient administration of important Departments like Certificate, Cess re-valuation, Partition, Excise, Income-tax, Stamps, Land Registration and Record-room, Tauzi, etc., etc., who knows more, Sir, than you yourself that it is on sound and tactful organisation and working of the Revenue Departments that the healthy financial condition of a country depends, and what will this Council and Your Honour's Government do if we have not got efficient, able, hardworking and, above all, contented officers to discharge the duties of Revenue Departments.

"We further find it, Sir, that while scarcity and famine continued to be almost persistent since 1896 and 1897, and hence an abnormal rise in food-grain, there has been in 1900 a reduction in the pay of the Deputy Magistrates from Rs. 250 to Rs. 200.

"My humble suggestions before Your Honour, therefore, are these:—

(1) That the 8th grade of Deputy Magistrates should be abolished altogether, as it unnecessarily blocks the promotion to the higher grade.

(2) That the pay of the seven grades should be as follows:—

Grade.	Pay. Rs.
1st	1,000
2nd	800
3rd	600
4th	500
5th	400
6th	300
7th	250

(3) That the pay of probationers should be Rs. 200.

(4) That the percentage of the number of appointments in the different grades should be as follows :—

Grade.					Percentage.
1st	...	...	...	...	5
2nd	...	...	...	...	7
3rd	...	...	...	...	10
4th	...	...	...	...	15
5th	...	...	...	...	18
6th	...	...	...	...	20
7th	...	...	...	...	25
					100

"With the above four changes in pay, grade and percentage in the number of appointments, there should also be alteration in the amount of work a Deputy Magistrate has to do in his grade. It does not seem quite proper that a Deputy Magistrate drawing Rs. 200 or Rs. 300 a month should be made to do the same amount of work as a Deputy Magistrate in higher grades has to do. We find, for instance, that a Deputy Magistrate in the lower grade is vested with almost all the powers under the Criminal Procedure Code. Being vested with first-class powers he has to try all kinds of serious and contested cases, including inquiries under Chapter XVIII, Criminal Procedure Code. Invariably he is placed in charge of a sub-division, where mature experience, practical knowledge, tact and administrative skill are absolute necessities. In short, we find no difference in the class and amount of work done by him and a senior Deputy Magistrate. Your Honour, much improvement is needed in this connection, and I press the subject firmly but respectfully upon the attention of the Government.

"Now, Sir, I take up the case of the members of the Subordinate Executive Service, which forms the second part of my amendment, and I may at the outset be permitted to say that this is a most wretched, ill-treated, uncared for and unfortunate class of service in the whole Province. This service is divided into five grades, and the number of the members is 192+24 probationers=216 in all, and they draw from Rs. 100 in the fifth or last grade to Rs. 250 in the first grade: except from 5th to 4th grade and from 2nd to 1st grade, where the rise is of Rs. 50, the three intermediate grades get on promotion an increment of Rs. 25 only.

"A perusal of the appointments in the service made since 1908 will show that out of 24 probationers 15 are B. A.'s and 4 M.A.'s, and out of the remaining five who are not graduates, we have—

		1 Mahomedan.
		1 European.
		1 Bhutia.
		1 Bengali Hindu.
		1 Behari Hindu.
Total	...	5

"It will thus be seen that the standard of the educational qualifications for appointment in this service is the same as that in the Provincial Executive Service, and, if I mistake not, they have to equally satisfy the Government about their respectability, family connections and good moral character. These men on being appointed have to undergo a probationary period (of course on a nominal pay of Rs. 30), and have to pass the departmental examinations just in the same way as the Deputy Magistrates. Many of them exercise second-class powers and have to do almost the same kind of work as the members of the other service And though in status and position they are supposed to be superior to Ministerial Officers, they are allowed less pay than even some of those men, not to talk of Deputy Magistrates. I, therefore, suggest very humbly that this service should be abolished altogether and amalgamated with the Provincial Executive Service. With these few remarks, I beg to move my amendment."

[*Rai Sita Nath Ray Bahadur.*]

The Hon'ble RAI SITA NATH RAY BAHADUR said :—

"Your Honour, after a careful perusal of the very able speech of the Hon'ble Mr. Sarbadhikari, supported by a large array of incontrovertible facts and figures, it seems to me that the picture he has drawn of the present unsatisfactory condition of the Subordinate Judicial Service has not at all been overdrawn. In my opinion he has delineated the picture in its true colour, painting it as it is, extenuating nothing nor setting aught in exaggeration.

"His main suggestion is for the creation of another grade of Munsifs on a pay of rupees five hundred a month. Well, Sir, it seems to be a great anomaly that even a well-qualified Judicial officer with brilliant educational attainments dispensing justice and performing high judicial functions should, at the end of 20 or 21 years, even at the fag-end of his life, be still drawing Rs. 400 a month and still continuing to perform the same functions and exercise almost the same powers with which he was vested at the beginning of his official life. The anomaly becomes all the more glaring when it is remembered that the Government of Eastern Bengal which, ushered into existence only five years ago, has, on coming to realise the anomaly of the situation, been pleased to create a five-hundred rupee grade of Munsifs, which has later on been also adopted in Burma.

"With a view to remove this disparity of treatment which, I fear, may tend to create heart-burning among the Judicial officers of Bengal, it is very desirable that Your Honour's Government should be pleased to accept this very moderate recommendation; but instead of creating a five-hundred rupee grade of Munsifs, it would be more pleasing and more dignifying to the whole service to create a fourth grade of Subordinate Judges on a pay of rupees five hundred a month, who should only be vested with limited powers, that is, with powers to try original suits up to the limit of Rs. 10,000. In my humble opinion, it is somewhat of an anomaly, and, I say, it is somewhat unsafe to the litigant public that a Munsif so long vested with limited powers and empowered only to try suits up to the value of Rs. 2,000 should suddenly be called upon to try original suits of unlimited value. In my opinion, instead of exercising the same powers for about 18 to 20 years, Munsifs of different grades should be allowed to exercise progressively higher powers according to seniority and qualifications.

"Without, however, reiterating the several other recommendations made and so ably supported by undisputed facts and figures and by cogent reasons, and, as the time-limit assigned for the discussion of the subject is so short, I would, with Your Honour's permission, content myself with making general observations about the desirability and expediency of improving the pay and status of the Subordinate Judicial Service.

"Sir, I mean no disrespect to the Hon'ble Judges of the High Court in saying that the members of the Subordinate Judicial Service—I mean only those who go under the designation of Subordinate Judges—have, so far as Original civil suits are concerned, to do nearly the same work and perform the same functions and exercise the same powers as are done by the Hon'ble Judges of the High Court sitting on the Original side. Like the Hon'ble Judges of the High Court, they have to try suits of unlimited value, extending, it may be, to some crores of rupees, and they have to try civil suits of all sorts and kinds without any limitation whatsoever. It was only the other day that a distinguished Subordinate Judge, undoubtedly an ornament to his service, had to decide issues relating to the succession to an important Raj, valued at some crores of rupees. It was about 32 years ago that another equally distinguished Subordinate Judge and possessed of great independence of character had to try intricate questions affecting the rights of several parties relating to a well-known estate in Eastern Bengal, valued at some crores of rupees. It must be a terrible temptation to weak-minded Judges on comparatively low pay to be called upon to decide questions relating to vast estates and Rajes. But, Sir, it must be said to the credit of the service that, following the glorious traditions of the English Bench, the Indian Judiciary here have invariably been able to resist all allurements

and temptations and maintain the purity and glory of the services. Excepting in one or two rare cases, never perhaps to recur again, not a breath of scandal has ever been whispered against the snow like purity of the service. Whatever that may be, while the Subordinate Judges have to work so hard and to perform onerous duties and to try suits of unlimited value, and when the temptation, in not a few cases, is almost irresistible, it is of the utmost importance, and I say it is expedient and fair that, with a view to maintain the purity of the service, immediate steps should be taken to improve its pay and prospects which will have the effect of adding to the dignity of the service.

"The several heads of grievances of the Judicial Service have been so ably and clearly set out by the Hon'ble Mr. Sarbadhikari that it would be an act of supererogation to recapitulate them, but some of them are so palpably glaring and so genuine that it is a matter of regret that ere long they should not have attracted the kind attention of Your Honour and His Lordship the Chief Justice, that no attempt should have been made to remove and redress some of these grievances.

"On paper it looks all very well that the pay of a first-grade Subordinate Judge is Rs. 1,000 per month, but how many Subordinate Judges there are who, on being promoted to the first grade, can enjoy the emoluments of the grade for more than a year or so before the death-knell of his official life is sounded, and, if he is still allowed to remain in his office, it is only by sufferance and extension of service.

"Beyond the very few Statutory Civilians, whose race unfortunately is now almost extinct, I do not know of more than a very limited few who had ever attained to the rank of a second-grade District Judge: as for a Subordinate Judge becoming a first-grade District Judge, it is an impossible feat.

"If the Government is really in earnest in improving the pay and status of the Subordinate Judicial Service, it would be well if the Government were kindly disposed to accept the following recommendations:—(1) That the pay of the last grade of Munsifs should be Rs. 250 a month, (2) that the fourth grade of Subordinate Judges should be created on pay of Rs. 500 a month, and (3) that six District Judgeships should be exclusively reserved for Subordinate Judges, that is, one in the first grade, two in the second grade and three in the third grade.

"With these remarks, I beg to support the Resolution of the Hon'ble Mr. Sarbadhikari."

The Hon'ble MR. GOURLAY said:—

"Your Honour,—When I spoke last in the Council on the subject of the Provincial Judicial Service, I expressed the hope that the Hon'ble Member in whose name the motion stands would give me the opportunity of discussing the question with him before it came up again in Council, and I have to thank him for the opportunity which he gave me, and to thank him for the assistance which he has given me during our conversation, and to acknowledge also the acknowledgements which he has made of any assistance which I was able to render him in the matter.

"In the speech which has been laid upon the table the Hon'ble Member asks that the Provincial Judicial Service should be improved by the creation of certain new appointments and by the grant of certain concessions. In practically every case the ultimate sanction rests not with the local Government but with higher authority. The proposals of the Hon'ble Member may be roughly divided into three classes—

"First of all, he has made certain proposals which concern the Bengal Provincial Judicial Service alone; secondly, he has made certain proposals for granting concessions to this service which are not possessed by others, and the grant of which to one service would cause discontent in other services, and, thirdly, there are certain proposals for the grant of concessions which, so far as I am aware, are not possessed by any service under Government, on the ground that they are against the fundamental principles of the regulations of the Civil Service.

[*Mr. Gourlay.*]

"In the first category, I would place the proposal for the creation of a new grade of Munsifs on Rs. 500. The lowest grade of Sub-Judges is Rs. 600 and the highest grade of Munsifs is Rs. 400. The Hon'ble Member has proposed that between these two grades there should be a grade of Munsifs on Rs. 500. He also brings up the question of the re-arrangement of the numbers within the grades and the raising of the pay of the lowest grade from Rs. 200 to Rs. 250. These proposals are really the backbone of the Hon'ble Member's speech.

"The first of these proposals, viz., that for creating a new grade on Rs. 500, which I believe still has the support of the Hon'ble Judges, was advocated by the Hon'ble Judges of the High Court, and was supported by this Government in 1908. The proposals, however, did not meet with the approval of higher authority, and we have communicated their opinion to the Hon'ble Judges, and this Government, therefore, does not propose to move in the matter until further representations are made by the Judges.

"When such representations are made they will receive the same careful consideration as on former occasions. The same remarks apply to the other items, the re-arrangement of the numbers within the different grades, and the raising of the pay from Rs. 200 to Rs. 250.

"Another matter which might be said to concern the Bengal Judicial Service alone is the statement that their health is upset by overwork. As a matter of fact, when there is too much work for the Munsifs in a particular district, application is made by the High Court to the Government for additional help, and I believe that such applications have been invariably complied with. It is not overwork that upsets the Munsifs; it is the sedentary life they lead. Judicial officers lead a much more active life, and they enjoy better health for this reason.

"In the second category I would put the proposals of the Hon'ble Member with regard to privilege leave and temporary promotion. Munsifs and Sub-Judges, officers of the High Court and officers of the Education Department under the Civil Service Regulations are not allowed privilege leave on full pay in the same manner as officers of other services; they have vacations, and that is the reason why they do not get the same privilege leave. In cases of urgent necessity they can obtain privilege leave on half-pay. If for any special reason they have to work during vacations, and are prevented from availing themselves of this leave, they can be granted privilege leave under the ordinary rules. The question of removing this restriction on the leave of these officers has been considered on several occasions, but so late as 1906 it was decided by higher authority that the existing rules should not be altered, and this Government is not prepared to move in that matter at the present time.

"Another proposal coming under this head is that members of the Judicial Service should be given temporary promotion when officers of higher grades go on leave. The principle of granting such promotions was conceded in 1868 to certain services as a compensation for the withdrawal of the furlough appointments which existed under the old leave rules. The withdrawal of the appointments caused a considerable stoppage in substantive promotion, and the acting by grade was the compensation for the loss of the substantive promotion. The Provincial Services did not possess such appointments and consequently the concession of 1868 did not affect them. Not only the Provincial Judicial Service, but all the Provincial Services—Executive, Police and Educational—are equal in this respect: the orders of 1868 do not affect them. The granting of such a privilege would have the effect of increasing pay indirectly. If it be admitted that their pay requires to be increased, it is very much better, I think, to give the increase by direct addition than by the introduction of any acting allowances.

"In the third category, viz., concessions or privileges not generally possessed by other services under Government, I would place such questions as

travelling allowance, free quarters, free medical attendance for families, the prefixing or affixing of leave to vacation, etc. With regard to the question of quarters where such do not exist, the general practice is for the Government to provide the quarters and charge the officer a rent which does not exceed 10 per cent. of his pay, but all these are separate questions, which, if taken up at all, would have to be taken up quite independently of any one particular service, and at the present time Government is not prepared to move in the general question.

"The Hon'ble Member who has moved the amendment has made certain proposals regarding the Executive Service. He has suggested a rate of pay and a grading which is not possessed by any Provincial Service in India so far as I can see. With regard to the Subordinate Service, I was very astonished to hear the words that he has used in criticising this service. They are very strong words. I have known a great many Sub-Deputy Magistrates. I have met men who were disappointed because they were not made Deputy Magistrates, but I have never heard the Subordinate Service spoken of in the way that the Hon'ble Member has spoken of it before this Council. The Subordinate Service was reorganized so lately as 1905.

"If the Resolution proposed by the Hon'ble Member were carried by the Council, it would have the effect of pressing upon the Local Government the necessity of taking up the question of the improvement of a particular service at once in preference to the improvement of any other service, or in fact of any other new expenditure. The decision as to the time when the improvement of any particular service should be taken up must be left in the hands of the Government because the Government alone knows all the circumstances of the different cases, and the Government alone can know the relative importance of the claims of the different services and of the different new projects and schemes. The present time is a most inopportune one for taking up any new expenditure. Our finances are at a very low ebb, and we have already put in proposals for the improvement of one service with regard to which I replied to a question of the Hon'ble Member, Babu Bhupendra Nath Basu, viz., the improvement of the Provincial Educational Service (in the improvement of which I have to acknowledge the support which we have received from the Hon'ble Babu Deba Prasad Sarbadhikari). These proposals have gone up to the Government of India, and we are in hopes that they will be favourably received by the higher authorities. If approved, they will take up a large share of the sum which will be available for new recurring expenditure in the near future, and the Hon'ble Member will himself I think agree that the Government is justified in taking up the cause of the Educational Service before any other.

"The Hon'ble Member has warned me at the end of his speech that I must not refer to what Mr. Duke said in his speech in this Council in the last Budget debate, when he said that all improvement is a question of money, and that the money required is to be obtained not from a mere abstraction called the Government but from the general tax-paying public. The Hon'ble Member suggests that a particular source of revenue should be ear-marked for expenditure on the improvement of a particular service. I am afraid no financial administration or financial member would recognize a principle like that. They could not recognize the principle of ear-marking any general source of revenue for specific expenditure. The recognition of such a principle would only land the Government in financial chaos.

"In the beginning of his speech the mover has said that the Resolution was moved mere with the object of calling attention to the whole question than of pressing specific suggestions in the way of acceptance, of which there may be difficulties of which he knows nothing. I have endeavoured to explain shortly what some of these difficulties are, and if the Hon'ble Member presses his Resolution to a division, I would ask the Council to vote against the Resolution and to leave the matter of the improvement of any particular service entirely

[*Maharajadhiraja Bahadur of Burdwan; Mr. M. S. Das.*]

in the hands of the Government. Government alone knows all the circumstances of the case, and Government alone is in a position to decide when and how each scheme or project or organisation should be dealt with."

The Hon'ble MAHARAJADHIRAJA BAHADUR of Burdwan said:—

"Your Honour,—I have heard with great interest the speeches of the Hon'ble Mr. Saiyid Wasi Ahmad and the Hon'ble Mr. Gourlay. I have read portions of the elaborate and rather lengthy speech of my hon'ble friend, Babu Deba Prasad Sarbadhikari, and I must say that he has made out a very strong case for the Provincial Judicial Service. I may say at the outset that I am opposed to the principle of fettering the hands of Government regarding any particular service. As the Hon'ble Mr. Gourlay has very pertinently pointed out, the Government is the best judge in such matters. It is our duty as Councillors to bring to the notice of the Government such grievances that, we think, exist in the different services. Knowing full well the financial condition of the Government, and also having just learnt from the Hon'ble Mr. Gourlay that recommendations have been sent up to the Government of India for the improvement of the Provincial Educational Service—a service the improvement of which requires our most immediate attention—I think my friend, the mover of the original Resolution, and my friend the Hon'ble Mr. Saiyid Wasi Ahmad would do well not to press their resolutions in Council to-day. The matter wants careful consideration, in the first place; and, *secondly*, if it is expected that these resolutions should get universal support, they ought to be put in such a manner as not to in any way bind the hands of Government.

"Your Honour made some very sound remarks yesterday afternoon when laying the foundation-stone of the new Ripon College. It is not enough, Sir, to keep students only away from politics, but school-masters and professors ought to be made to do the same. Some of them indulge in politics because their pay is small and they seek for remunerations in other shapes. I, therefore, think, Sir, it is essential that the improvement of the Provincial Educational Service should receive the first attention of Government, and that these matters should come up hereafter. For the above reasons, I am unable to accept or support the Resolution or the amendment moved by the Hon'ble Babu Deba Prasad Sarbadhikari and the Hon'ble Mr. Saiyid Wasi Ahmad."

The Hon'ble MR. M. S. DAS said:—

"Your Honour,—I fully endorse the remarks made by the Hon'ble Mr. Gourlay that the Government is the sole and best judge as to when the improvement of any particular service as regards its pay and status should be taken up, and I fully endorse the remarks of the Hon'ble Maharajadhiraja Bahadur of Burdwan that perhaps this is not the proper time when we can, with any hope of success, put the Resolution before the Council embodied in words that steps be taken to introduce the improvement in the next budget. So far as the words of that Resolution go, it certainly undertakes more than this Council should do, because, as it is, these matters must be left in the hands of Government. But I wish I could, in the same way, endorse the remarks which fell from the Hon'ble Mr. Gourlay when he said that no Finance Minister or Secretary would accept the principle that revenues should be ear-marked for any particular purpose. Sir, I do not see the prudence or the advantage of comparing these two services—the Executive and Judicial Services. Each service has its special claims and grievances. The grievances of the Executive Officers have been pointed out most graphically and emphatically by the Hon'ble Mr. Saiyid Wasi Ahmad; those of the other service have been described in equally eloquent terms by the Hon'ble Babu Deba Prasad Sarbadhikari. No doubt the Executive Officers do a very important part of the administration, and it is but just that these Executive Officers should have the pay and position such as would place the service not only in an efficient condition, but also in such a position as would secure the confidence of the public. At the same time, we must not lose sight of the fact that the judicial work is done by a class of people for whose services the suitors pay in Court-fees. Just as the Government is interested in the administrative work and has certainly a right to decide as to what should keep that service in an efficient condition, in the case

of the Judicial Service, where the suitors contribute to the maintenance of the service, their voice ought to have its force. When a person comes to Court he says: 'I contribute so much for having justice'. Certainly in a matter like this the public have a right to say whether the service is such as is likely to give them that justice which they are entitled to. I do think, Sir, that the public have a right to say that the revenues derived from the Court-fees should be ear-marked and spent in the improvement of the Judicial Service, should that service, at any time, fall below the mark of efficiency. When public confidence is not secured, then certainly, I submit, Sir, the public have a right to press before Your Honour that the claims of that service be taken into consideration. I do not mean to go further than this. As a non-official member of this Council, representing the interests of the public, I have the right to put the voice of the public before Your Honour, and, ask your Honour, to modify the proposition in the general terms, which the Hon'ble Mr. Gourlay lays down as regards the power of the Finance Member.

"As regards the Subordinate Executive Service, the Hon'ble Mr. Saiyid Wasi Ahmad has sought to compare the two services and has taken into calculation the income of the Munsif while practising as a pleader. All these things, Sir, are, in my humble opinion, matters which cannot further the discussion of the subject. As I stated in the earlier part of my speech, the matter ought to be left in the hands of Government. Carrying this argument to its logical sequence, one might say that the man who earns much while a pleader should work as a Munsif without pay. But, Sir, we should all bear in mind one fact and that is while a person who enters the Executive Service gets a training (he is first of all trained in departmental work), a Munsif from the first day of his appointment does the full amount of work. I therefore respectfully submit to Your Honour that it is but just that these facts should be taken into consideration when the question is next taken up."

The Hon'ble BABU BAIKUNTHA NATH SEN said:—

"After having read the speech of my hon'ble friend, Babu Deba Prasad Sarbadhikari, I must in the first instance thank Your Honour for having exercised Your Honour's discretion in allowing this question to be raised, although there is a rule that the notice should have been given earlier, and thus giving us an opportunity of discussing this matter. It is perfectly true that, so far as the pay, emoluments and prospects of Government servants are concerned, the Government undoubtedly is vitally interested, and it is the Government which is to fix the scale, but I quite agree with the Hon'ble Mr. Das when he says that the suitors pay for the litigation, and for the purposes of judicial administration the judicial officers have a voice, and the public has a right to expect that these officers should be adequately paid. Now, Sir, the grading and the scale of pay were adopted a long time ago. The world is moving; times have changed; economic conditions have changed—changed not only in the provinces, but in every household necessities, natural and artificial, have sprung up. These officers have to maintain their position and have to meet the increased requirements of educational expenses of their children. The marriage expenses of their daughters have very considerably increased. Over and above these, if the increase in the rate of living be considered as well the depreciation of the rupee, I submit, Sir, that there are very strong grounds, reasons for increasing their pay in some shape. I would here take the liberty of suggesting one thing. The question has not been raised by any one. Cannot the system of pay on time-scale be adopted, as has been adopted by Government in one important department? Of course, it requires a calculation to see what would be the profit and loss, but this would certainly give consolation and satisfaction to the officers if they can know that after serving for five years they would get into another grade and draw higher pay, and would not have to depend upon fortuitous circumstances, *e.g.*, deaths. As the pay will automatically be increased, it will undoubtedly give satisfaction to the officers concerned. But, of course, the figures have to be worked out, and it has to be seen whether it would appreciably increase the expenditure of Government. I beg merely to suggest that this may be considered. I would beg further to submit that it is impossible to discuss the

[*Babu Bhupendra Nath Basu.*]

question as regards the advantages enjoyed by one branch of the service or the disadvantages under which the other branch labours. It may be that in one department the officers enjoy certain privileges, such as a start by six or seven years at the age of 22 or 23; in another they have to begin their life at 30, and just on the verge of their extinction they approach the first grade of the service. There are therefore advantages and disadvantages in both the services. With regard to the suggested 500-rupee grade which my hon'ble friend, Babu Deba Prasad Sarbadhikari, has so strongly advocated, I also beg to submit that a separate grade should be created for those who have been doing work for which they do not get any proper remuneration. I mean that class of Munsifs who are invested with powers to try suits up to the value of Rs. 2,000. These officers have been doing the work of Subordinate Judges, and perhaps, in view of the number of cases decided by them, six Sub-Judges would have had to be employed. In fairness and justice, I submit, these officers who have been doing Subordinate Judge's work ought to get some remuneration at least. I am not sure that there would be any difficulty in regard to the creation of this new grade. But, should it be found on taking statistics and making some calculations that difficulties would arise, they might be avoided if these officers be specially remunerated for the work they do, *i.e.*, if an allowance of Rs. 100 a month be given to these officers.

"There are other matters to which I need not refer. With regard to privilege leave on full pay, I hope that the Government will take a very favourable consideration of these hard-worked officers. There is this difference between the two departments—Judicial and Executive: one has to do monotonous brain work, whereas the members of the other branch have different sorts of work, which do not tell upon their health, and it is for that reason that there is so much of the early and premature deaths of the members of the Judicial Branch of the service. However, I hope the Government will consider these facts. On looking into the history of those officers, I find that privilege leave is not frequently taken. It is in name a privilege, because half their pay is cut. This is a matter which Your Honour will be pleased to consider.

"I have, however, one other suggestion to make, namely, that the number in the second grade of Subordinate Judges be increased and a similar number in the third grade be reduced. In that case there would be a likelihood of members of the Judicial Branch approaching or reaching up to the second grade. It is very scarcely that the members would now be able to reach the pay of the second grade. My hon'ble friend, Babu Deba Prasad Sarbadhikari, has very appropriately called the first grade as ornamental. Babu Umanath Ghosal was given a lift to the first grade, which was announced in the Calcutta Gazette this month, and he had to retire on the 16th of this month. Babu Pramatha Nath Chatterji has also been gazetted to the first grade this month, and he will have to retire in September, so that the promotion is merely nominal. If these officers after a hard work as Munsifs have any chance of reaching the second grade even, they would consider themselves quite happy, and they would thank their stars. I would, therefore, suggest that the number in the second grade be increased, and the proportionate number be reduced in the third grade."

The Hon'ble Babu Bhupendra Nath Basu said:—

"After hearing what has fallen from the Hon'ble Mr. Gourlay, I do not think it would be proper for us to go into the details of the question that has been raised by my hon'ble friend, Babu Deba Prasad Sarbadhikari. We acknowledge, with thanks, the attitude of the Government in paying sympathetic attention to the grievances of a most deserving class of officers which have been so well and so clearly put forward by my friend, Mr. Sarbadhikari, in his very able note. It is a pity that under the rules of the Council the speech was not read here, for I am quite sure that some at least of the Hon'ble Members of Council whose sympathies we are anxious to secure must have been too much frightened by its bulk to go through its pages. But apart from that, Sir, having regard to the assurance given by the Hon'ble Mr. Gourlay that these grievances will be very carefully considered, I do not think we should be well

advised in putting this Resolution to vote. Our object has been gained in calling the attention of the public and of Government to these grievances. It is no part of our case that the subordinate executive officers are better treated and that their privileges, whatever they may be, should in any way be curtailed. What my hon'ble friend was seeking to point out in his note was this—that even if the prospects of the Executive Service, such as they are, be considered, and we do not for a moment minimise the grievances of that branch of the service—the Judicial Service suffers in comparison in many respects. My hon'ble friend, Mr. Saiyid Wasi Ahmad, was referring to the high appointments held by members of the Subordinate Judicial Service in the first three grades. In comparing these grades with the higher grades of the Executive Service, I believe he overlooked the fact that the men in the Subordinate Judicial Service in the first grade are mostly or all on extension, and that the first of them got into that service only in the year 1909. That reminds me—and I hope I shall be pardoned, if I remind my friends of the King of England whom the witches of Macbeth conjured up before the astounded gaze of Macbeth—they rose and passed away in procession! Our Munsifs get into the higher ranks—they also rise and pass away in quick procession! Some of them have been known to be gazetted after they have actually retired! That is the condition of the service in the higher grades. I will not speak about the general unhealthiness of the service. My hon'ble friend, Mr. Gourlay, has pointed out that part of it is due to the sedentary nature of the duties that they have got to discharge. I am afraid he forgets that members of the Executive Branch of the service have got the privilege of summary trials. When learned pleaders are cross-examining their witnesses and addressing lengthy arguments, the officer has sometimes been known to be drawing figures of pet animals on the papers before them, whereas the poor Munsif has got to take down every word that is placed before him, for some of his cases go up to the Privy Council and most of them go up to the Appellate Courts, and the record must be complete. Although the work of most of these Judicial Officers is very heavy and onerous, yet the pay, emoluments and attractions are not commensurate. The candidate for Executive Service, as soon as he is a graduate, if he has got the ears of the officers in his district, becomes a Deputy Magistrate at the age of 21. The poor Munsif, notwithstanding the chance that Mr. Saiyid Wasi Ahmad says is open to him, has got to get through his M. A., and then his law degree, and then he has to hang about the precincts of the Court in the vain expectation of getting briefs, which seldom come, for three years. And then he has got to get his name registered on the rolls of the High Court in the list of candidates for Munsifships, and then he has got to dance attendance in the English Department of the High Court for no inconsiderable length of time, and then when he seems that he is approaching his 30th year and his chances are going after all these years of waiting, he probably gets his Munsifship. My friend, the Hon'ble Mr. Gourlay, has said that in twenty and-a-half years he may expect to become a Sub-Judge. We take it that he becomes a Sub-Judge of the 3rd grade at the age of 51 or 52. Then he goes through the grades rapidly in the course of three or four years. He has no special appointments. There is indeed an Assistant Sessions Judgeship open to him. But when does it come to him? It comes to him when the end is near. Take the other branch. Take the Magistrate-Collectorships open to the Executive servants. Some of them have held office for a great number of years. Will Mr. Gourlay kindly tell me for how many years the Sessions or Assistant Judgeships have been held by members of the Subordinate Judicial Service? They come and go; they have no time to stay. These are grievances which are substantial.

"There is another matter to which I would call attention—and that is the analogy that has been drawn of the Educational Service. My hon'ble friend forgot that the members of that service enjoy a long holiday in summer, and they have just the same holiday during the Pujahs as the members of the Judicial Service have. Then they have got other holidays. But the poor Munsifs and Sub-Judges have got only 30 days holiday, and that in one of the most unhealthy parts of the year. They do not derive the full benefit of the holiday, and, as has been well pointed out by my hon'ble friend, Babu Baikuntha Nath Sen, they do not avail themselves of

[*The President; Babu Deba Prasad Sarbadhikari.*]

the privilege leave which is open to them because half their pay is cut. As has also been pointed out, the cost of living has so increased that it is practically impossible for them to take leave unless they are absolutely forced to take benefit of the rules of half-pay. This is a matter at least on which the Government can move at once.

"I will not dwell upon the question as to whether the enormous revenue derived by Government from Court-fees should be ear-marked for the purpose of improving the status and the condition of the members of the Judicial Service. Though I do not dispute the proposition that the Government must be left at liberty to deal with funds which are raised for its own purposes, I do not suppose that the Government would either dispute the proposition that its primary duty is to devote the funds which are raised from a particular branch primarily to the benefit of that branch of the administration. If that is conceded, I have no quarrel with Government. In fact, I remember an able minute by Sir Richard Garth, who pointed out that the status of the Munsifs and the Subordinate Judges should be increased, because the whole cost of the civil and criminal administration of justice in Bengal is met by the revenue derived practically from the civil administration. These are questions into which I will not go. Our time is limited. My hon'ble friend, Babu Deba Prasad Sarbadhikari, has yet to reply. And having regard to the attitude of the Government in this matter, I do not think it is any use for us to press this question. But I do hope that these questions will receive the most careful consideration of the Government."

The PRESIDENT said:—"I think that as the time fixed for the discussion of Resolutions is drawing to a close, it will be well if the hon'ble mover of the Resolution will now say anything which he has to say by way of reply."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"Sir, I am not encouraged in attempting to reply, finding that while acute physical eyes even of my friend, the Hon'ble Babu Bhupendra Nath Basu, were purporting to glance through the thirteen pages of what I do not claim to be a speech, his mental eyes might possibly have been gazing on metaphysical cats and dogs. The Hon'ble the Maharajadhiraja Bahadur of Burdwan is more encouraging, for he has done me the honour of reading at least portions of that note—for I myself do not put it higher—and has been good enough to admit that I have made out a strong case. I am sure if the Hon'ble Maharajadhiraja had read the whole of it, the case would have appeared very much stronger to him. About the strength of the case I have not heard any dispute here whether from seeming friends or from open foes. Even the Hon'ble Mr. Gourlay, when replying to me on a previous occasion and now, was merely combating possibilities of having to spend more money, and in doing so he entered into awkward questions of comparison, which have landed me to-day on difficulties he and I had not bargained for. I would remind him in the words of a bard of his own country, whose rule and sway he will readily acknowledge, that 'Comparisons are odd.' The Prince of Poets made his Bully call comparisons 'Oderous.' But Burns hit it nearer the mark, at least for present purposes, by characterising comparisons as 'odd,' in his exquisite 'Auld Brig of Ayr,' which Lord Rosebery has recently been bringing back to a forgetful public mind in connection with the long-delayed restoration of the threatened 'Auld Brig'. Comparisons which the Hon'ble Mr. Gourlay aggressively and purposefully started and which I combated on his own grounds, merely on the defensive, have proved disagreeably 'odd' to day. In the apt phraseology of the Poet Ploughman in the same poem, promotion in the Judicial Service is 'regularly slow.' In emphasising this state of affairs, I tried to meet the Hon'ble Mr. Gourlay's argument by analogy, and in doing so nothing could be farther from my mind and intention than to decry or deny the legitimate grievances and demands of the Executive Service, which I have often tried to voice. If I did not feel and were assured that I should be seriously jeopardising the fate of my present proposal and hopelessly mixing up the claims and grievances of both the services by accepting the amendment of the Hon'ble Mr. Saiyid Wasi Ahmad, I should have been glad to do so. I could not,

early life when an amiable relative promised to take some of us to the Zoological Gardens close by and actually chartered a carriage. The news got abroad, and 14 or 15 aspirants gathered round, and our would-be entertainer naturally asked whether it was right that only the few that could be accommodated in the carriage and who had been first bespoken, should go and the others left behind. The logic was unanswerable and the entertainment never came off! The Hon'ble mover of the amendment, which would wreck the original proposal, practically asks that because the other service has grievances this service ought not to have its admitted grievances remedied as far as possible till the grievances of both the services can be remedied. While fully sympathising with the Executive Service, I am unable to appreciate the correctness of this position. I therefore thought that I should bring the questions relating to the Judicial Service to the notice of Your Honour and of the Council so that they may be taken up one by one as resources permit. As a member of the Government reminded us on a recent occasion, every service has its grievances, and I do not for a moment dispute that it is the Government and the Government alone that is the sole and ultimate arbitrator as to when and how best to deal with these grievances. My proposal has been purposely so framed as not to fetter the hands of the Government in any way as the Hon'ble the Maharajadhiraja Bahadur of Burdwan has been pleased to call it, following the Hon'ble Mr. Gourlay. That has been my anxiety throughout; and if every such proposal is to be looked upon as an attempt to fetter, it would be impossible and undesirable ever to bring them forward. Whatever else the fate of my proposal may be it would be worse with the amalgamation with it of the amendment, which, after all, is no amendment. I am in the fullest sympathy with the Executive Service, which I hold in high esteem. I am prepared to say that some Assistant Judgeships may well go to tried Senior Deputy Magistrates. Some of them, again, may well have the power of hearing appeals from Subordinate Magistrates by which the work of the District Magistrates may be much relieved, and by appropriation like this the question of separating the Judicial from the Executive Branch of the Magisterial Service may be solved to a certain extent. But that is a question which does not arise on the present occasion, and I think it would be right to deal with those questions separately. After the statement made by the Hon'ble Mr. Gourlay and the warning given by him, I myself am somewhat of the opinion that has been voiced by the Hon'ble Babu Bhupendra Nath Basu. My object is not to force the hands of the Government: my object is simply to bring the whole question before the Council and, through the Council, before Your Honour as Lieutenant-Governor. I am glad to see that we have been anticipated. But I would not be quite correct to say so because the proposal from the Government of Bengal to the Government of India, to which the Hon'ble Mr. Gourlay has drawn our attention, originated in 1908, really after this question was raised in the old Council. We are thankful our observations and suggestions on the previous occasion have been partly given effect to, and have been accepted by the Hon'ble Judges of the High Court and by Your Honour's Government. That, Sir, has to some extent served the purpose of my Resolution. And if nothing better is for some time to be gained, an elicitation of opinion from the Hon'ble Mr. Gourlay must be taken to have rewarded my efforts. But I do not think we can afford to stand there. It is now made public that there is a difference of opinion between Your Honour's Government and the Government of India regarding some of the most vital questions affecting the service.

"Two Members of the Imperial Legislature—the Hon'ble Maharaja of Burdwan and the Hon'ble Babu Bhupendra Nath Basu—have invited me not to press my proposal to a division. I would be prepared to fall in with their views on their undertaking, or rather understanding, that they and other Members of the Imperial Council, who are also Members of this Council, will do all they can to strengthen the hands of the Government of Bengal with regard to the question which this Government in its wisdom has seen fit to support, backed by the opinions of High Court Judges. What the reasons of the Government of India might have been in saying 'No' to that very reasonable proposal we do not know, for those reasons are not before us. We have not been able to ascertain them so far, and I could have only combated them practically in the dark. If

[*The President; Babu Deba Prosad Sarbadhikari; Mr. Saiyid Wasi Ahmad.*]

what I and my friends have here urged will prove to be of some service to the Government of Bengal in making good its case before the Government of India, it would not by itself have been a small reward for our labours.

"Sir, I need not go into the details of the question that have been raised by the Hon'ble Mr. Saiyid Ahmad."

The PRESIDENT said:—

"I may remind the Hon'ble Member that he is approaching the time-limit."

The Hon'ble BABU DEBA PRASAD SARBADHIKARI continuing, said:—

"That is one reason why I was not going into the details of this question. Sufficient has been said in the Council Chamber to-day to indicate that there is a very strong case for inquiry and action, and that such an inquiry has been set on foot and such action begun is a matter of congratulation to us. The inquiry and the action we cannot expect to be all on our lines or to suit our time. The Government, which has now practically all the materials before it and is admittedly sympathetic, will choose its own time and methods. The question of higher pay, however, is not the only question before us. There are other questions which can be solved without much expenditure. There is, for example, the question of privilege leave, which even judicial athletes running round their kutcheries will need and regarding which I wish to make one more observation. If what the Hon'ble Mr. Gourlay has said with regard to other services were wholly correct, I should have a complete answer to my suggestion to-day. But I think a reference to the High Court Judges, the District Judiciary and the superior staff of the Educational Service, which my hon'ble friend must have overlooked when he was speaking of the Educational Service, fully supports the case of the Subordinate Judiciary. There is another matter regarding which I wish to put in a disclaimer—that is with regard to the proposition that all expenditure must be met out of ear-marked revenue. If that were so, a particular department, namely, the Education Department, in which I am especially and directly interested, would have practically to be wiped out. I rejoice at and am thankful for the Hon'ble Mr. Gourlay's incidental announcement to-day about its proposed improvement, though not for the novel reasons enunciated by the Hon'ble the Maharajadhiraja of Burdwan to-day.

"Sir, as I am approaching the time-limit, I will conclude by saying that, having regard to what has fallen from the Hon'ble Mr. Gourlay and my other colleagues, and the understanding that some of our Members who are also members of the Imperial Legislature will see that the cause of the service will be fought out well elsewhere, I accede to my hon'ble friends' suggestion and do not press my proposal to a division."

The PRESIDENT said:—

"The Hon'ble mover of the amendment is entitled to say whether he is agreeable to the amendment being withdrawn. I cannot allow the Resolution to be withdrawn unless the amendment is also treated in the same manner."

The Hon'ble MR. SAIYID WASI AHMAD said:—

"I suppose, Sir, that as the original Resolution is withdrawn, the amendment dies of itself."

The PRESIDENT said:—

"It would not be right to allow the original Resolution to be withdrawn unless you also agree to this. It would not be fair to make it compulsory on you to withdraw your amendment, because the mover of the Resolution desires to withdraw his motion."

The Hon'ble MR. SAIYID WASI AHMAD said:—

"I will only say that, regard being had to what has fallen from the Hon'ble mover of the Resolution and the Hon'ble Mr. Gourlay, I need not press my amendment."

[*The President; Babu Deba Prasad Sarbadhikari.*]

The PRESIDENT said:—

"Both the Resolution and the amendment may be regarded as withdrawn. The Hon'ble Babu Deba Prasad Sarbadhikari said something about some undertaking from gentlemen who are Members of this Council and of the Imperial Council, in regard to what has been described as the Bengal case. I think that that would impose conditions on the freedom of action of the Members of this Council in the Imperial Council. To impose such conditions would be impossible, and I am sure the Hon'ble Member will understand, that there can be no such condition or undertaking. Is that clearly understood?"

The Hon'ble BABU DEBA PRASAD SARBADHIKARI said:—

"I used the word 'undertaking' in the sense of a request."

The Resolution and amendment were then, by leave of the President, withdrawn.

The Hon'ble Mr. Sayid Wasi Ahmad had given notice of the following Resolution. But the Resolution not having been reached within the time (1½ hours) assigned by the President for the discussion of Resolutions at this meeting, the Resolution was, as directed by rule 23, of the Rules for the discussion of matters of general public interest in the Bengal Legislative Council, deemed to have been withdrawn:—

The Council respectfully recommend to the Lieutenant-Governor that it is desirable, in the interests of the administration of criminal justice in the Sonthal Parganas, that the attention of Magistrates exercising jurisdiction within that district should be drawn to section 340 of the Code of Criminal Procedure, 1898, so that, when an accused person wishes to be defended by a pleader, he should, as a matter of right, be allowed to be so defended.

The Council was then adjourned *sine die*.

CALCUTTA,
The 8th September, 1910.

F. G. WIGLEY,
Secretary to the Bengal Legislative Council.

B. B. Press—13-9-1910—1457J & 1797J—400—W. M. D'C.

Abstract of the Proceedings of the Bengal Legislative Council, assembled under the provisions of the Indian Councils Acts, 1861, 1892 and 1909.

THE Council met in the Durbar Hall in Belvedere on Saturday, the 10th December, 1910, at 11 A.M.

Present:

The Hon'ble SIR EDWARD NORMAN BAKER, K.C.S.I., Lieutenant-Governor of Bengal, *presiding*.

The Hon'ble MR. F. A. SLACKE, C.S.I., *Vice-President*.

The Hon'ble MR. F. W. DUKE, C.S.I.

The Hon'ble RAI KISHORI LAL GOSAIN BAHADUR.

The Hon'ble MR. W. C. MACPHERSON, C.S.I.

The Hon'ble MR. D. J. MACPHERSON, C.I.E.

The Hon'ble C. J. STEVENSON-MOORE.

The Hon'blo MR. A. S. THOMSON.

The Hon'ble MR. T. BUTLER.

The Hon'ble MR. E. P. CHAPMAN.

The Hon'ble MR. J. G. CUMMING.

The Hon'ble MR. H. WHEELER, C.I.E.

The Hon'ble MR. S. L. MADDOX.

The Hon'ble B. C. MITRA.

The Hon'ble MR. G. W. KUCHLER.

The Hon'ble MR. L. F. MORSHEAD.

The Hon'ble MR. C. H. BOMPAS.

The Hon'ble MR. C. E. A. W. OLDHAM.

The Hon'ble NAWAB SAIYID MUHAMMAD, KHAN BAHADUR.

The Hon'ble MR. W. R. GOURLAY.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT.

The Hon'ble KUMAR SHIBA NANDAN PRASAD SINGH.

The Hon'ble RAI SITA NATH RAY BAHADUR.

The Hon'ble LT.-COL. G. GRANT GORDON.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.I.E., MAHARAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MAHARAJA MANINDRA CHANDRA NANDI.

The Hon'ble MAHARAJ-KUMAR GOPAL SARAN NARAYAN SINGH.

The Hon'ble BABU KIRTANAND SINHA.

The Hon'ble RAJA RAJENDRA NARAYAN BHANJA DEO.

The Hon'ble BABU DEBA PRASAD SARBADHIKARI.

The Hon'ble MR. J. G. APCAR.

The Hon'ble MR. J. C. SHORROCK.

The Hon'ble MR. NORMAN MCLEOD.

The Hon'ble MR. W. J. BRADSHAW.

The Hon'ble MR. GOLAM HOSSEIN CASSIM ARIFF.

The Hon'ble DR. ABDULLAH-AL-MAMUN SUHRAWARDY.

The Hon'ble MR. SAIYID WASI AHMAD.

The Hon'ble MAULVI SAIYID MUHAMMAD FAKR-UD-DIN.

The Hon'ble BABU HRISHIKESH LAHA.

The Hon'ble MR. K. B. DUTT.

The Hon'ble MAULVI SAIYID ZAHIR-UD-DIN.

The Hon'ble MR. T. R. FILGATE.

The Hon'ble RAI SHIBA SHANKAR SAHAY BAHADUR.

The Hon'ble MR. MADHU SUDAN DAS, C.I.E.

The Hon'ble BABU BAIKUNTHA NATH SEN.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN.

The Hon'ble BABU BRAJA KISHOR PRASAD.

The Hon'ble MR. DIP NARAYAN SINGH.

The Hon'ble BABU BAL KRISHNA SAHAY.

OATH OR AFFIRMATION OF ALLEGIANCE.

1. The Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. Cumming, the Hon'ble Mr. Wheeler, the Hon'ble Mr. B. C. Mitra, the Hon'ble Mr. Bompas and the Hon'ble Mr. Payne made the prescribed oath or affirmation of their allegiance to the Crown.

[*The President; Babu Harishikesh Laha; Mr. Butler.*]

PRESIDENT'S ADDRESS.

THE PRESIDENT said:—

"GENTLEMEN OF THE COUNCIL.—It gives me much pleasure to meet you again, at the opening of our second Session. Since we met last the Council has been strengthened by the accession of the Hon'ble Members of the newly-created Bengal Executive Council. They are all old friends of ours, and I am sure that you will join with me in according them a hearty welcome in the new capacity in which they join it. I am confident that the proceedings of the Council, during the ensuing year, will be marked by the same gratifying features of good sense, moderation, and business like promptitude by which they were signalized last year. I do not think that it will be necessary to make very excessive demands on your time and patience; for though we have a considerable number of legislative measures to bring before you, and some of them are important, there is only one which is at all lengthy. That one is the Bill for the establishment of the Calcutta Improvement Trust, which was introduced last rains, and which we propose to refer to a Select Committee to-day.

"Before we begin our regular proceedings, I desire to draw the attention of the Council to the small platform and desk which has been erected on the north side of the Council Chamber, immediately opposite to my chair. One of the Hon'ble Members brought to my notice some time ago that the accoustic properties of this Chamber are defective; and that some of the members experienced difficulty in making themselves heard. He suggested, therefore, that it might be an advantage if a sort of raised rostrum were provided, which should be at the disposal of Hon'ble Members if they desired to avail themselves of it. We have accordingly given effect to this suggestion in the manner that you see. I am not certain how Hon'ble Members will regard it. The use of it is, of course, in no way compulsory. It is entirely optional with all members to use it or not as they please; and for the present it must only be looked upon as an experiment. If it succeeds and comes into general use, it can be made permanent. If, on the other hand, it turns out to be unpopular, it can be removed."

QUESTIONS AND ANSWERS.

THE BAGER KHAL.

The Hon'ble BABU HRISHIKESH LAHA asked:—

I.—(*a*) Is the Government aware of the importance of Bager khal, known as the Jamuna, which runs into the river Hooghly and ultimately connects with the Ichamati at Goalaghat, as being the natural drain of the villages situated on both sides of the khal and a principal source from which the inhabitants of the adjoining villages draw their water-supply?

(*b*) Is the Government aware that the khal has silted up in many places, and that, as a consequence, unhealthiness and great mortality prevail in those places?

(*c*) Will the Government be pleased to state whether they intend to re-excavate the khal by reviving the project of 1903, or by any new scheme, with a view to remove the present unhealthiness and high rate of mortality of the villages concerned?

(*d*) If the answer to question (*c*) be in the affirmative, when is the project likely to be taken up?

The Hon'ble MR. BUTLER replied:—

(*a*) "Several representations have been received from the inhabitants of the tract bordering the Bager khal of the importance of the khal as a navigation

[*Babu Hrishikesh Laha; Mr. Butler; Babu Braja Kishor Prasad.*]

and drainage channel and as the principal source of the water-supply of the villages on either bank.

(*b*) "Government is aware that, owing to the formation, about 50 years ago, of a large chur at the offtake of the Bager khal from the Hooghly, the khal has considerably silted up, and an epidemic of fever and cholera was attributed by the local inhabitants to this silting up.

(*c*) "The re-excavation of the khal is not now under consideration, as it does not appear probable that the parties affected would be willing to pay for the cost of such re-excavation.

(*d*) "As the answer to (*c*) is not in the affirmative, this requires no answer."

RE-EXCAVATION OF THE RIVER BHAIRAB.

The Hon'ble BABU HRISHIKESH LAHA asked :—

II.—Will the Government be pleased to state whether the re-excavation of the river Bhairab, which passes through the district of Jessore, is in progress; and, if so, when it is likely to be completed ?

The Hon'ble MR. BUTLER replied :—

"The excavation of the Bhairab river is not in progress or proposed. The District Board are, however, preparing a scheme for flushing the Bhairab river from the Matabhanga river and the Arool Bhil."

The Hon'ble BABU BRAJA KISHOR PRASAD had given notice of the following questions, but he was not present when his turn came, and the questions were therefore not put :—

III.—Will the Government be pleased to state the present number of the non-official Indian members, as also of the official and non-official European members, of the District and Local Boards in the districts of Darbhanga, Muzaffarpur and Champaran ?

IV.—Will the Government be pleased to state, in detail, what action has been taken since September, 1908, towards "getting the interests, with which the work of the District Boards is concerned, represented on the Boards with some degree of reasonable proportion", as was promised by Sir Andrew Fraser, whose views on this matter were endorsed by the present Government, in reply to my questions on the subject on the 26th February, 1910 ?

V.—(*a*) Is the Government aware that the promotions and confirmations of several members of the Provincial Judicial Service have not been published in the Gazette for about a year ?

(*b*) Is there any special reason for this delay ?

(*c*) If so, what is the reason ?

VI.—(*a*) Will the Government be pleased to state whether it has any intention of taking Subordinate Judges and senior Munsifs from the Province of Eastern Bengal and Assam to fill up some of the present vacancies in this Province ?

(*b*) If so, does the Government intend to place the services of a corresponding number of officers of corresponding grades of this Province at the disposal of the Government of Eastern Bengal and Assam ?

VII.—Having regard to the fact that a special grade of Rs. 500 has been created in the Judicial Service of the new Province, will the Government be pleased to consider that the transfer of Subordinate Judges and senior Munsifs from that Province would delay the promotion of the members of the Judicial Service in this Province and would cause great hardship to them ?

[*Mr. K. B. Dutt; Mr. Wheeler.*]

THE BENGAL SECRETARIAT PRESS.

The Hon'ble MR. K. B. DUTT asked:—

VIII.—Is it a fact that a Departmental inquiry was held by the Hon'ble Mr. Slacke and the Controller of Printing to inquire into the conduct of the Superintendent and the Deputy Superintendent of the Bengal Secretariat Press?

The Hon'ble MR. WHEELER replied:—

"An inquiry was held during January and February, 1907, by the Hon'ble Mr. Slacke and Mr. Cogswell into the administration of the Secretariat Press."

The Hon'ble MR. K. B. DUTT asked:—

IX.—(*a*) Is it a fact that, as a result of the said inquiry, the then Superintendent was asked to retire from the service at the instance of the above Committee, and the Deputy Superintendent was recommended for dismissal?

(*b*) If so, how far have the above recommendations been carried out?

The Hon'ble MR. WHEELER replied:—

(*a*) & (*b*) "The retirement of the Superintendent was ordered as the result of the Committee's report, and had effect from the 12th February, 1908.

"The recommendation that the Deputy Superintendent should be dismissed was not accepted by Government."

The Hon'ble MR. K. B. DUTT asked:—

X.—(*a*) Will the Government be pleased to state when Munshi Abdul Aziz Khan, a Stationery-keeper of the Bengal Secretariat Press, retired from the service of Government, and when he died?

(*b*) What was the length and nature of his service, and the pension awarded?

(*c*) Is it a fact that no orders have been passed on the application for pension of Munshi Abdul Aziz Khan up till now?

(*d*) If so, why?

The Hon'ble MR. WHEELER replied:—

(*a*) "Munshi Abdul Aziz Khan was absent from his work without leave and without pay on account of illness from the 26th May, 1904. He never formally retired; he died in April, 1909.

(*b*) "He served 28 years and 2 months in superior service. No pension was awarded to him.

(*c*) "No orders were passed on any application for pension from this officer."

(*d*) "An application for pension appears to have been made in July, 1904, but it was not brought to the notice of Government, and no further application appears to have been made by, or on behalf of, Munshi Abdul Aziz Khan."

The Hon'ble MR. K. B. DUTT asked:—

XI.—(*a*) Was the paper and stationery stock of the Bengal Secretariat Press taken, and the result ascertained in comparison with the book balance, at the time of the retirement of Munshi Abdul Aziz Khan?

(*b*) If so, will Government be pleased to state the result of stock actually taken as compared with the ledger balance at that time?

The Hon'ble Mr. WHEELER replied:—

(*a*) "As already stated, Munshi Abdul Aziz Khan did not retire, and the first stock-taking, subsequent to his absence from office, was the usual annual verification in April, 1905.

(*b*) "Under the circumstances this question does not arise."

The Hon'ble MR. K. B. DUTT asked:—

XII.—(*a*) Is it a fact that a large deficit in the stock of the paper and stationery was discovered when Munshi Abdul Aziz Khan retired from service?

(*b*) If so, what was the amount of the deficit, and when was it last adjusted before his retirement?

(*c*) What action was taken by Government when the deficit was discovered at his retirement?

(*d*) Was any explanation submitted by Abdul Aziz?

(*e*) If so, when and how was it disposed of?

The Hon'ble MR. WHEELER replied:—

(*a*) "No such deficit was then discovered, and the subsidiary questions do not, therefore, arise."

The Hon'ble MR. K. B. DUTT asked:—

XIII.—Is the stock of paper and stationery of the Bengal Secretariat Press taken annually, and the result compared with the ledger balance?

The Hon'ble MR. WHEELER replied:—

"Stock is taken annually and is now being compared annually with the ledger balances."

The Hon'ble MR. K. B. DUTT asked:—

XIV.—(*a*) Is the Government aware of the existence of a fund, called the Lewis Provident Fund, in the Bengal Secretariat Press?

(*b*) If so, will Government please state—

(*i*) when was it started,

(*ii*) what was the capital with which it started, and the rate of interest charged, and

(*iii*) what is the present amount at its credit?

The Hon'ble MR. WHEELER replied:—

(*a*) "Government is aware that such a fund exists, but is in no way connected with it.

(*b*) (*i*) "The fund started operations in July, 1894.

(*ii*) "Its original capital was Rs. 730 approximately, and the rate of interest charged on advances was one pice per rupee per month.

(*iii*) "The present sum to the credit of the fund is Rs. 5,519-10-6."

The Hon'ble MR. K. B. DUTT asked:—

XV.—(*a*) Will Government please state whether the fund has any other income but the interest accrued on the money invested?

(*b*) Does the present capital represent the income derived solely from the interest accrued on the capital invested?

[*Mr. Wheeler; Mr. K. B. Dutt; Khan Bahadur Maulvi Sarfaraz Husain Khan; Mr. Cumming; Maharaja Sir Prodyot Kumar Tagore.*]

The Hon'ble MR. WHEELER replied :—

(*a*) & (*b*) "The fund is now made up entirely of the accumulations of interest paid on advances made. All the original shareholders have been paid off."

The Hon'ble MR. K. B. DUTT asked :—

XVI.—Will the Government please state what are the objects of the fund ?

The Hon'ble MR. WHEELER replied :—

" The object of the fund, as specified in its rules, is to render pecuniary assistance to the employees of the Press by loans on a lower rate of interest than would be obtainable from the ordinary money-lenders."

The Hon'ble MR. K. B. DUTT asked :—

XVII.—(*a*) Is it a fact that almost all the Press employees borrow from the fund every week, on Saturdays, and that the amount borrowed in a month is recovered in full, with interest, when they draw their monthly salary, and that some men again borrow from the fund the next day?

(*b*) Will Government please consider the desirability of paying the men weekly, or of charging them no more interest on the amount borrowed by them from the fund?

The Hon'ble MR. WHEELER replied :—

(*a*) " It is reported that about half the Press employees avail themselves of the fund. Loans are repaid upon the occasion of the first receipt of salary subsequent to the loan, and fresh loans are, in some cases, taken following upon such repayment.

(*b*) " Press employees are at present paid monthly and Government is not prepared to make weekly payments. The question of the interest charged on loans from the fund is the concern of the Committee which manages the fund."

The Hon'ble MR. K. B. DUTT asked :—

XVIII.—Will Government please consider the desirability of converting the fund into a Co-operative Credit Society ?

The Hon'ble MR. WHEELER replied :—

" Government will consider the question of the continuance of the fund on its present basis."

APPLICATION FOR PERMISSION TO MAKE SETTLEMENTS UNDER THE BENGAL SETTLED ESTATES ACT, 1904.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN asked :—

XIX.—Will the Government be pleased to state the number of applications made to the Local Government for permission to make settlements under the Bengal Settled Estates Act, 1904, and the number granted by them?

The Hon'ble MR. CUMMING replied :—

" There has been only one such application and it was granted."

ABOLITION OF THE BOARD OF REVENUE.

The Hon'ble MAHARAJA SIR PRODYOT KUMAR TAGORE, KT., asked :—

XX.—Now that an Executive Council has been called into existence, will the Government be pleased to state whether it is in contemplation to abolish the Board of Revenue, and if so, from what date approximately ?

The Bengal Vaccination (Amendment) Bill, 1910.

The Sambalpur Repealing and Amending (Rates and Cesses) Bill, 1910.

[*Mr. Cumming; Mr. Slacke.*]

The Hon'ble MR. CUMMING replied:—

XX—"The Secretary of State has sanctioned the retention of the Board of Revenue, consisting of one Member, for the present, on the distinct understanding that within a period of two years from April, 1910, the duties of the Board will be distributed between Commissioners and Members of the Executive Council, after a consideration of the proposals of the Decentralization Commission."

THE BENGAL VACCINATION (AMENDMENT) BILL, 1910.

The Hon'ble Mr. Slacke moved for leave to introduce a Bill further to amend the Bengal Vaccination Act, 1880.

He said:—

"This Bill was published in the Calcutta Gazette on the 14th September last and was circulated for the opinion of various experienced officers and influential Associations with the result that there has been an almost unanimous approval in favour of the measures contemplated by the Bill."

The Motion was put and agreed to.

The Hon'ble Mr. Slacke introduced the Bill and moved that it be read in Council.

The motion was put and agreed to, and the Secretary accordingly read the title of the Bill.

The Hon'ble Mr. Slacke moved that the Bill be referred to a Select Committee consisting of the Hon'ble Mr. Chapman, the Hon'ble Mr. Wheeler, the Hon'ble Mr. Maddox, the Hon'ble Babu Peba Prasad Sarbadhikari, the Hon'ble Dr. Abdullah-ul-Mamun Suhrawardy, the Hon'ble Babu Hrishikesh Laha, the Hon'ble Mr. Dip Narayan Singh and the Mover, with instructions to report after one month.

The Motion was put and agreed to.

THE SAMBALPUR REPEALING AND AMENDING (RATES AND CESSES) BILL, 1910.

The Hon'ble Mr. Cumming moved that the Bill to repeal and amend in the district of Sambalpur certain enactments relating to abolished rates and cesses be taken into consideration by the Council at the next meeting.

He said.—

"It will be within the recollection of Hon'ble Members that in 1906 the Government of India abolished by executive order the Zamindari Dâk Cess in Bengal and similar cesses in other Provinces. The statutory power to impose such cesses was subsequently withdrawn by the Repealing and Amending (Rates and Cesses) Act of 1907. The Schedule of that Act cancelled the power to impose the Zamindari Dâk Cess in Bengal and also the additional Rates Cess and the Patwari Cess in the Central Provinces. At that time, however, the Central Provinces did not include the district of Sambalpur, and it is now proposed to correct, as regards that district, the anomaly in the Statute law which still permits the imposition of the additional Rates Cess and the Patwari, though Government has announced its intention of discontinuing the collection of the same. The Schedule which is attached to the present Bill shows the repeals for abolishing these two cesses in the Sambalpur district, and contains a consequential amendment in the Northern India Ferries Act so far as it relates to that district. It will thus be seen that the proposed legislation is purely formal, and it seems unnecessary to refer the Bill to a

Select Committee. I therefore beg to move that the Sambalpur Repealing and Amending (Rates and Cesses) Bill be taken into consideration at the next meeting of the Council."

The Motion was put and agreed to.

THE CALCUTTA IMPROVEMENT BILL, 1910.

The Hon'ble Mr. Bompas moved that the Bill to provide for the improvement and expansion of Calcutta be referred to a Select Committee consisting of the Hon'ble Mr. Slacke, the Hon'ble Mr. Wheeler, the Hon'ble Mr. Maddox, the Hon'ble Mr. Payne, the Hon'ble Babu Bhupendra Nath Basu, the Hon'ble Rai Sita Nath Ray Bahadur, the Hon'ble Mr. Apcar, the Hon'ble Mr. Shorrock, the Hon'ble Babu Hrishikesh Laha and the Mover, with instructions to report after one month.

The Hon'ble MR. APCAR said:—

"YOUR HONOUR—In examining the material for the proposals which have been made, the form in which they have been promulgated, and the intentions expressed in the Bill, the outstanding characteristic is their vagueness, as has so frankly been admitted by the Hon'ble Member who moved the introduction of the Bill.

"In England, no proposal for city improvement is entertained unless the scheme has been fully developed; the estimates, alignments, even the range of deviation, all must have been carefully settled. And sanction is not given by a Parliamentary Committee, until after close investigation in which they are assisted by criticisms by the public, especially by those whose interests are likely to be affected. All this is done before legislation; and plans and lists of the names of owners and lessees and occupiers are deposited under statutory direction, in which no change whatever can be made except on the ground of mistake, which must be proved before a judicial tribunal. And what is most impressive of all to me at the present juncture is the amount that may be borrowed for the schemes, the period within which the money can be borrowed, and within which acquisition of land can be made and the improvements must be completed, if strictly limited by law.

"Thus under a Manchester Improvement Act of 1894, power was given to borrow a sum not exceeding £189,000 for the purpose of the improvement of a street, for a new street, for lands for gas works, and for lands for a sewage farm. The acquisition of lands was limited to three years. Under their Improvement Act of 1895, the London County Council were authorized to borrow £460,000, acquisition was limited to three years, and completion of improvements to five years, after which period the powers conferred on the Council were withdrawn. In the Improvement Act of 1899, affecting the same authority, for a new street from the Strand to Holborn; widening certain streets in many parts of London; and reconstruction of two bridges; power was given to borrow £5,591,800, and the Council were prohibited from acquiring land after five years, and if the improvements authorized under the Act were not completed within seven years, the powers conferre dceased.

"Sir, it is conspicuous in proceedings ordinarily adopted in England that the idea of keeping projects secret finds no place in any question of city improvement. I am entirely in favour of plans being published. It cannot seriously be urged that secrecy can be preserved in this country, in any matter, by any means, even by an Official Secrets Act. I believe it will be futile to attempt to keep projects secret, and I think that the balance of advantages is in favour of early disclosure. It enables persons likely to be displaced to take timely steps to find accommodation for themselves, and it places owners of properties that are threatened, on an equal footing with the land-jobber, who might otherwise seek to take advantage of his own knowledge. If it is feared that there will be danger in the Board's plans being divulged, on my own part, I believe there will be consequences more to be deplored if they

become known to such persons only who will pursue devious paths to obtain information—to judge from occurrences that become known but are not spoken of—than if the projects were announced without reserve.

"The examples of English practice, which I have brought to Your Honour's notice, and to that of the Council, are not expressions of my personal views of what the procedure should be. They have been taken directly from certain statutes of the British Parliament, and these statutes, in themselves, are the common form for acts generally adopted for the purpose of city improvement. And what is the law that we are asked to pass for Calcutta? There is to be no limit of the amount that we may borrow, nor to the time within which it can be borrowed: no limit of time after which land acquisition shall cease: no knowledge of, and therefore no legislative sanction for, the schemes to be executed, no limit of time within which improvements shall be completed. Sir, are we not aspiring to heights of freedom and irresponsibility on behalf of the Trust, to which the most experienced administrators in England would not be allowed to soar? In the public interest, and on grounds of sound policy, is this wise? With their long history of municipal achievement it has been found necessary to protect the public in England with the checks I have shown to be ordinarily provided there. Should we ignore their teachings, when we here are about to embark on positively a maiden effort, to execute a work—the details of which are still a mystery, but we may nevertheless confidently say will be such as will strain the administrative capacity of the most experienced? And by what agency? A small body—to its composition I shall not refer—working with closed doors, a condition which always arouses instinctive opposition. Is it too late to attempt to conform even now so far as we can, with slight modifications of the Bill if need be, to the English practice? May I make a suggestion? Immediately after the Trust has been formed, let the Board call for schemes in open competition for very substantial prizes, two or three in number—schemes of a comprehensive character covering the whole of Calcutta, and in accordance with the declared policy of Government, the Trust's own preparations not being suspended in the meanwhile: let the Trustees select so many improvements as they consider they would be able to complete, with the means that will be at their disposal, in, say four or five years; let estimates be framed for the expenditure that will be required for the schemes selected by them: then, let the Government, after consideration of the several improvements proposed, and of the estimates, sanction loans for such amount only as they think will be required for the schemes they may sanction, being careful to allot to the several improvements the sum wanted for each separately; and let a limited time be placed on the acquisition of lands and the completion of all the improvements sanctioned. It seems to me that these limitations of periods prescribed in England are made for sound reasons, based on practical knowledge. They seem to me, now that my attention has been drawn to them, that they have effect on the finances of the local authority concerned, as well as to be in the interest of individuals whose properties are acquired and of those who are waiting to derive the benefits of arrangements made with that local authority.

"Sir, I would appoint the President of the Trust for a full period of five years, and the members of the Board should hold office for the same period, the whole Board to become *functus officio* at the end of that period of service, but of course being eligible for reappointment. But I would bind each and all down to serve the full time, allowing holidays for reasonable periods, but subject to severe penalties for desertion of their Trust. At the end of this period the Trust should start forward afresh, untrammelled by any of the operations of their predecessors in office, but with the advantage of a wealth of experience gained by them.

"Sir, may I venture to appeal to Your Honour to acquiesce in these suggestions, which have been made with all good intention, being considered by the Select Committee?

"Sir, it would be too late now to question the constitution of a Trust *ad hoc*, even if I were inclined to oppose it, but I think I may fairly submit, in

view of the general interests that are involved, that too much stress is being laid on the necessity for a small Board. I desire to press upon the attention of the Council that the work to be done is such as is carried out in the ordinary course of municipal administration in England, by bodies constituted for local Government in its most popular form. A City Improvement Committee is only one among many, and its proceedings, just as those for water supply, or gas, or cleansing of a city, are subject to the control of the parent body. The Executive, as a force apart from the members of the Corporation, are unknown. The committees of a Corporation are the Executive, each in their own sphere of duty, and direct and control their officers with authority and power. To take the Improvement Committee of the London County Council as an instance: it is a Standing Committee, appointed for the execution of improvements for which the Council may from time to time obtain the authority of Parliament, with other very important functions, and, under the express provision of the Standing Order of the Council in that behalf, it is composed of 12 to 15 members. The City Improvement Committee of Glasgow is composed of 18 members. Then, with regard to Committees concerned with ordinary administrative work, to take Liverpool as an instance, which I have selected haphazard, the Finance, Watch, Health, Work and Street adoption, and Building Plans Committees, are all composed of 20 members each, the two latter, it should be observed, being Sub-Committees: the Estates Committee consists of 18 members, the Tramways and Electric Power Committee of 30 members.

"In the Manchester Corporation, under their Standing Orders, no standing Committee shall consist of fewer than 18 or more than 24 members, except two Committees in which non-members of the Council are included, and these are composed of 21 and 33 members, respectively. It will be observed that the fetish of attenuated numbers is not worshipped in England, and, we must take it, for good reasons. I would remind the Council that the proceedings of these Committees are subject to the supervision of the whole body of Councillors who have appointed them and are openly considered. However alluring small Committees may be in theory, when responsibilities are to be conferred, the number of members is not kept low; and if we may judge by results, the Trust which is to be formed may try to emulate, but they can hardly hope to equal at least for a long time to come, the business-like and efficient administration of their affairs by the larger Municipal Corporation in the United Kingdom. It has been suggested that it is necessary to restrict the numbers to prevent disclosures of the Board's projects. I have dealt with this question already and I will here only ask, if the members of the Board cannot be trusted—not a very complimentary estimate of the Board—is it to be accepted that the staff in the Engineer's office can?

"I shall not discuss now, in Council, the composition of the Trust proposed for Calcutta, since I expect later, in Committee, to have a more appropriate opportunity. But I may at once say here, as I have already indicated, that I am in favour of an enlarged Board, not necessarily enlarged to an undue extent, and I must urge that the constitution should be on a more popular basis. I acknowledge that the Government have established a claim in this connection; and I now confidently hope that this will not preclude the consideration of other circumstances, and I seek Your Honour's co-operation to secure due weight being given to them. The Corporation will have to bear their share of the burden, and they are deeply interested, because they will inherit all the responsibilities of the Board. The operations of the Trust will seriously affect the owners whose houses will be demolished, and whose properties acquired. The Indian public will be dishoused extensively, and, it may be thought by them, indiscriminately. In Calcutta the operations of the Trust will be absolutely a new departure and are anticipated in many quarters with trepidation. In England such schemes are carried through by persons elected by the people themselves, and in touch with themselves, and whose return to power is in the hands of themselves. There is no suspicion there of high-handedness attaching to actions that are taken. I refuse to analyse the constitution of the Trust which is proposed. But I do not disguise

that I regard the question as a crucial matter in the Bill, and I appeal, Sir, to Your Honour and to the Council as a matter of policy, not to leave room for the idea—whether justified or not, I will not stay to inquire—that the influence that will predominate on the Board will be unsympathetic to those whose interest will be chiefly affected, and I ask the Government to show liberality in their policy as well as of their purse. And, Sir, apart from such considerations as I have submitted, I invite the Council to examine the position of the Trust. It will be a body, the most favourably placed that my imagination can conceive. It will have arduous work of the most difficult character; but for ways and means, they will sit complacently still to receive the funds which will be poured into their laps, bountifully and with both hands, by the Government, by the Corporation, by a rich commercial industry, and by the public, both rich and poor. They will have the spending of crores of rupees, but if they become financially involved they need not be perturbed. They will not be called upon to discharge their liabilities, but will hand all over to the Corporation who must accept them and give the Trust, who have incurred the debts, an acquittance in full. This, Sir, is a fruitful theme, but I will not dwell on it further, except to express my fear, if the number is kept restricted, and the popular element is not sufficiently represented on the Board, it will not enjoy the sympathy, or the confidence, of the very largo class of persons who have a permanent stake in this city."

The Hon'ble MR. SHORROCK said :—

"I have no intention of taking up the time of the Council at the present stage of the proceedings.

"The Bill as it stands before us to-day has received the approval of the general community, and it is only in matters of detail that any difference of opinion exists. At the same time there are two points to which I must call attention in deference to the interests which I have the honour to represent. They are both connected with the proposed tax on the jute trade. In the first place, I desire to point out that the jute trade have tacitly acquiesced in this taxation. I go further and say they have voluntarily offered themselves for taxation for the benefit of Calcutta improvements. But they do so conditionally. It must be distinctly understood that they do so because jute cultivation is a practical monopoly of the two Bengals. If, at any future time, this should cease to be the case, if jute itself were produced elsewhere, or if any other fibre, competing with jute, were cultivated elsewhere than in the two Bengals and in a sufficient quantity to constitute a menace to the monopoly, the trade would reserve to themselves the full right to withdraw their acquiescence in the imposition of this tax and would strongly agitate for its repeal. So long as jute is a monopoly, there is justification for this tax; should the monopoly cease the tax becomes an extortion. This is the first point I wish to clearly define.

"The second point is the proposed method of the imposition of the tax. The trade having voluntarily acquiesced in the principle, claim some voice in the manner of its collection. Fortunately there is a consensus of opinion on this question. To the jute mill industry an excise is a vexatious and worrying form of levying a contribution. To the general public it means cumbersome and unnecessarily expensive collecting machinery. I trust, Sir, the Government of Bengal will see their way to adopt the alternative suggestion, unanimously approved by public opinion, namely, the substitution of an export duty on gunnies, equal to the export duty on jute, in place of an excise tax on the consumption of raw jute at mills. Such an export duty possesses none of the disadvantages of an unpopular excise.

"It is simple and more cheaply collected. It offends no ruling fiscal principles, for that portion of the entire jute crop which would thereby escape contribution to the Calcutta Improvement Trust is a negligible quantity.

[*Khan Bahadur Maulvi Sarfaraz Husain Khan; Rai Sita Nath Ray Bahadur.*]

"These, Sir, are the only two points I desire to emphasise at the moment, and I trust the strongly supported suggestion to substitute an export duty on gunnies for an excise on raw jute consumed at mills may receive the favourable consideration of Government.

The Hon'ble KHAN BAHADUR MAULVI SARFARAZ HUSAIN KHAN said:—

"I wish to confine my observations to the following four points:—

(1) the constitution of the Board,

(2) the term of office of the Trustees,

(3) the financial control of the Corporation, and

(4) the power of appeal to the High Court.

When I see that the Bombay Board consists of 14 members—4 seats having been allotted to the Bombay Corporation—the General Committee of the Calcutta Corporation of 12 members, excluding the Chairman, and the Port Trust of Calcutta also of 12 members and the Chairman, I do not see any reason why the Calcutta Board should only consist of 7 members, and that the Corporation, which is chiefly interested in the Board (the liabilities of the Board devolving upon it on the dissolution of the Board), should be represented in the Board by only 2 members. My opinion therefore is that the Corporation should be given 4 seats on the Board, which should consist of 13 Trustees, including the President; thus, the President, the Chairman of the Corporation, 4 representatives of the Corporation, one of the Bengal Chamber of Commerce, one of the Bengal National Chamber of Commerce, one of the British Indian Association, and four Government nominees.

"With regard to the second point, the term of two years is, I think, too short for one to hold a responsible office. Our present Legislative Councils and the Municipal and District Boards have all their terms of office for three years, and I do not see why exception should be taken in this particular instance, and I therefore think that the term of two years should be raised to three years.

"With regard to point (3), having regard to the financial responsibility imposed upon the Corporation in the Bill, I think the annual budget estimate should, before they are submitted for sanction to the Local Government, be forwarded to the Chairman of the Corporation for consideration. I would not press this point, however, if my first proposal is accepted.

"As regards point (4), there is one more objectionable feature of the Bill, and that is that the provisions as to appeals in section 54 of the Land Acquisition Act have been declared inapplicable in the case of acquisitions under the Calcutta Improvement Bill. The right of appeal is greatly valued and appreciated by the people, and the taking away of the privilege is calculated to create a belief in them that their just claims will not be disposed of in accordance with justice, equity and common fairness."

The Hon'ble RAI SITA NATH RAY BAHADUR said:—

"May it please Your Honour,—While we welcome the Improvement Bill which is the result and the fruit of the arduous labours and deliberations of numerous Committees and Commissions which have sat from time to time extending over a decade, and which have all in one voice recommended the laying out of new roads and streets, and the opening up of congested and ill-ventilated areas; while we all welcome the measure which will go to improve sanitation and provide more light and air in congested and cooped up areas; while we rejoice at the prospect of the probable dislodgement of that dreaded Plague which thrives in dirt and filth and which has been for some years committing sad havoc in the congested areas of this town, and which at one time threatened to paralyse its trade and commerce, we can hardly at the same time divest ourselves of the apprehension—we can hardly shake off the misgivings which now and then creep in—that the fruit of so much

deliberation and labour and of so much time and expense may not be like the fruit of that forbidden tree, taste of which brought woe into the world. It is all very well to say that the Bill before us will tend to improve the health of Calcutta, make it a paradise on earth and the queen of the East by laying out broad roads and streets, by abating overcrowding and congestion, and by providing well-laid out squares and open spaces and sanitary sites and buildings for the population to be displaced by the operation of the Trust, but however well designed the scheme may be, however laudable the object, however well-intentioned the authorities may be, one is at the outset staggered at the immensity of the task, at the stupendous nature of the work and at the colossal amount of money involved in carrying out the proposed improvement scheme. India's wealth is paltry and limited: it appals our Indian imagination to find that eight crores and twenty-two lakhs of rupees have been budgetted for the proposed improvement of Calcutta, the ultimate burden of which will have to be borne by its poor citizens. The amount may seem very small to the members of a nation the richest in the world, which dreams in millions and millions of pounds, but it is not so to us, poor Indians, who only dream in copper, pice and shells. By all means improve Calcutta, but I would earnestly pray to Your Honour to impress upon the proposed Board not to indulge in reckless and gigantic schemes disproportioned to the means of the people who will have to bear the ultimate burden; let them not in the zeal for improvement in an off-hand way interfere with commercial quarters in such a way as would go to dislocate and divert the several thriving trades of those areas. I hope these words of caution from one interested in Indian trade and commerce will not be altogether ignored. At this stage, however, it would not be advisable to go into the details of the Bill.

"With these preliminary remarks, I beg to give my humble support to the Bill, reserving my right to criticise its objectionable clauses."

The Hon'ble MR. BOMPAS said:—

"Sir, I fear that I scarcely understood the arrangements which the Hon'ble Mr. Apcar would suggest to this Council as a substitute for the scheme embodied in the Bill which is now before it. He referred to the system under which improvement schemes are carried out in England, and he instanced the Bills that are promoted in Parliament by bodies like the London County Council for authorization to carry out a particular work of improvement, such as the construction of a new thoroughfare, and he said that these schemes came before Parliament complete to the last detail, and that Parliament considered them, and thus there was public control over every detail. But he spoke as though these schemes complete in every detail had descended from the skies. The submission of a scheme for the sanction of Parliament is the final stage of a series of operations, and the *ad hoc* Trust, to the creation of which the Hon'ble Member has no objection, is framed in the first place to examine and prepare these schemes and then submit them for necessary sanction, and it seems to me that the checks provided in the Bill for examination of schemes are very complete. The Corporation of Calcutta is consulted, and has a right to be heard. Every single person whose land may be acquired for a scheme receives notice and has an opportunity to object. These objections are considered by the Trust, which is representative, and are then forwarded to Government, which, again, considers them. That seems to be a very complete provision for the examination of the schemes and for the consideration of objections.

"I would further point out to the Hon'ble Member that he is scarcely fair in seeking for analogies to this Bill in private Bills introduced by Corporations for the construction and carrying out of single works. The analogy is much more close with what is known as the Town Planning Act [1], the final form of the Housing of the Working Classes Acts, which have been in force for many years in England. As this Act now stands, no

[1] The Housing, Town-Planning, &c., Act, 1909 (9 Edw. VII, cap. 44).

improvement scheme comes before Parliament. They are all dealt with by the Local Government Board, and the similarity between the provisions of our Bill and the law as it stands in England is very close indeed. As to the working of the Trust when it has actually started, it is obviously impossible for me or anyone else to say anything. We hope that a properly constituted Trust, representative of various interests and subject to public criticism and under the control of Government, may be trusted not to go very far wrong nor to do anything very rash. The Hon'ble Member objected that the number of the Trustees proposed in the Bill was too small. That is more or less a matter of detail. The number 6 was fixed on by the representative Committee which sat in 1904 and which practically cast into shape the present Bill. It was approved, I think, unanimously by that Committee, which was not entirely an official Committee; it was approved by the Government of India and the Secretary of State, and the Chamber of Commerce has reported in favour of such a small Committee, but it is also true that representations have been received on the other side from the bodies and Associations which have been consulted; and it being essentially a matter of detail on which there is something to be said on both sides, it is also essentially a matter which should be left for the consideration of a Select Committee.

"The Hon'ble Mr. Shorrock raised two points in connection with the proposed tax on jute. He first of all declared that if jute ceased to be a monopoly in Bengal, it would cease to be a proper subject for an export tax. This, I think, may be admitted, but it must also be admitted that it is not a subject at present for practical consideration. As far as we can see, jute will remain for some time the monopoly of Bengal. It would be rash to assert that the scheme of taxation which we are introducing and which is proposed to run for 60 years will necessarily remain unchanged for that long period. It is obvious that there may be alterations in the commerce or other conditions of Calcutta, and it will be for our successors to modify the financial resources of the Trust in accordance with the circumstances of the time. The Hon'ble Mr. Shorrock would also prefer that, instead of having an excise levied on raw jute brought into consumption in the mills, an export duty should be levied on manufactured jute leaving Calcutta by river and exported to any port in or out of India. That is a matter which would require examination. The object of the Bill is to secure a certain income from jute, and, as far as Government is concerned, it is desirous of securing that income with a minimum of disturbance to the industry. If on examination it should turn out that the balance of advantage is in favour of an export duty on manufactured jute rather than on levying the tax entirely on the raw material, it may be possible to assent to such an arrangement. But it is obvious that many details would have to be investigated and that other interests than those of the mill managers will be affected. No scheme can be adopted as a substitute for that which has been sanctioned by the Secretary of State without his consent, and this is therefore a matter which may be left for consideration by the Select Committee.

I do not think that the Hon'ble Khan Bahadur Maulvi Sarfaraz Husain Khan raised any points that can be properly described as matters of principle, and it is not to be expected that I should discuss now any matters of detail. They will come up for consideration when the report of the Select Committee has been received.

"The Hon'ble Rai Sita Nath Ray Bahadur professes some apprehension as to the manner in which the Trust would carry out the admittedly large and important task which will be entrusted to it. The task is one which has already been performed in almost every great city of the civilised world. Great towns were built in days when the idea of sanitation was almost non-existent, and when the requirements of traffic were entirely different from what they are now. The consequence is that every large town in Europe has had to be practically pulled down and rebuilt, and it is inevitable that something of the same kind should be done in Calcutta, and that it will be done with all possible consideration to vested interests, may, I think, be considered certain when we look on

the popular elements which will be represented on the Trust. The only other point he referred to was connected with the Land Acquisition Act. The land acquisition proposals as embodied in the Bill reproduce provisions which have been working in Bombay for the last 12 years, and have been working with satisfaction. An expert tribunal is constituted, and the reported judgments of the Bombay High Court show with what respect the opinion of such a Tribunal will be received by the Courts and how very reluctant a non-expert tribunal would be to interfere with the decision of a body such as this Bill proposes. It is no doubt true that the provisions of the Bill under which the ordinary 15 *per cent.* additional compensation is not given for land acquired for reconstruction schemes and improvement schemes will excite criticism, but I would point out that this provision of law has been in force in England since 1875, and England is a country where the rights of landlords have always been treated with special respect. Since 1875, since the time when Birmingham undertook its great improvement scheme, in all the Acts providing for works of the character for which this Bill provides, the *solatium*, as it is called in English law, is denied. On the Continent of Europe, also, such a *solatium* is not universally paid. Berlin is, perhaps, the town on the Continent of Europe which is most free from slums. That town has been largely rebuilt and extensive land acquisition proceedings had to be taken, but in Berlin and indeed throughout Prussia no additional compensation is paid to the landowner.

I of 1894.

"The Bombay Trust has now been working for 12 years and has accomplished very remarkable results, and there also this provision, which has been adopted from their Bill, has been in force. If the additional 15 *per cent.* were paid as it is paid under the ordinary law, it would mean that works of improvement, works for the benefit of the town of Calcutta, to the initial cost of one crore of rupees, would have to be left undone. And what would become of the money? It would be poured into the pockets of the landlords and property-owners—a crore of rupees of which they would not receive one pice if they were landlords in London, if they were landlords in Berlin or if they were landlords in Bombay. Placed in that way, I think the justification for the Bill is obvious. No other point of principle, I think, has been touched on this morning. I have now to move that the Bill be referred to the Select Committee."

The Motion was then put and agreed to.

The Council was then adjourned to a date to be notified hereafter.

F. G. WIGLEY,

Secretary to the Bengal Legislative Council.

CALCUTTA,

The 21st December, 1910.